



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.21346 of 2017

Arumugam

... Petitioner

Vs.

The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to grant permission and accord protection for conducting the Kabadi Tournament scheduled on 01.12.2017 at 09.00 p.m to 02.12.2017 at 09.00 a.m and 02.12.2017 at 09.00 p.m to 03.12.2017 at 09.00 a.m two days going to held in Parasakthi ground, Thennimalai, Tirunelveli District.

For Petitioner : Mr.M.Subash Babu

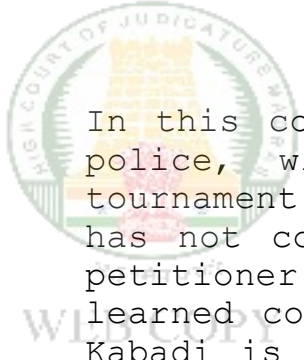
For Respondent : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondent to grant permission and accord protection for conducting the Kabadi Tournament scheduled on 01.12.2017 at 09.00 p.m to 02.12.2017 at 09.00 a.m and 02.12.2017 at 09.00 p.m to 03.12.2017 at 09.00 a.m two days going to held in Parasakthi ground, Thennimalai, Tirunelveli District.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament from 01.12.2017 at 09.00 p.m to 02.12.2017 at 09.00 a.m and 02.12.2017 at 09.00 p.m to 03.12.2017 at 09.00 a.m two days going to held in Parasakthi ground, Thennimalai, Tirunelveli District.



In this connection, a representation was given to the respondent police, with a request to grant permission to conduct the tournament on the above said date, however, the respondent Police has not considered the request of the petitioner and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Kabadi is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4.The learned Additional Government Pleader appearing for the respondent, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such tournament.

5.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct Kabadi tournament on the above said dates.

6.Since the Sub-Inspector of Police, Nanguneri Police Station, Tirunelveli District has submitted that there is likelihood of law and order problem in view of the fact that there is a residential colony of Adi-dravidars near the place of Kabadi tournament scheduled to be held, the direction as sought for cannot be granted for conducting Kabadi Tournament. The fact that it is a sports event and that it should be encouraged for promoting sports events in the State is taken note of. Since the above said statement is given by the Additional Government Pleader, the Superintendent of Police concerned is required to provide adequate police protection to enable the Petitioner to conduct this Kabadi Tournament peacefully without giving room for any untoward incident.

7. Accordingly, the Writ Petition is disposed of with the following directions:

(i)The Kabadi tournament at Parasakthi ground, Thennimalai, Tirunelveli District scheduled to be held on 01.12.2017 at 09.00 p.m to 02.12.2017 at 09.00 a.m and 02.12.2017 at 09.00 p.m to 03.12.2017 at 09.00 a.m.

ii)The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

<https://hcservices.ecourts.gov.in/hcservices/> The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.



iv) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue.

v) The participants of Kabadi tournament shall not wear any form of dress showing offending slogans or picture of any communal/political leader which may cause disturbance.

vi) Songs praising communal leader or having communal overtones should not be played.

vii) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

(viii) No flex boards in support of any political party or religious leader be erected.

(ix) If there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

(x) Similarly, the Police is empowered to stop the Kabadi tournament, if it exceeds beyond the permitted time.

(xi) The participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

(xii) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

(xiii) The respondent concerned is directed to issue necessary permission, incorporating the above conditions.

(xiv) The Referee must be authorized person from the District Association.

No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent Of Police,
Tirunelveli.

2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

+ 1 cc TO Mr.M.Subash Babu , Advocate in SR No. 88774

+ 1 cc TO The Special Government Pleader in SR No. 89099

SSS

AE/SKN RSK/SAR2/28.11.2017/3P/5C