



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2017

CORAM:

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.22944 of 2017

J.Sekar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Puliyangudi Police Station,
Pulilyangudi,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in Na.Ka.No.22/P1PS/2017 dated 08.12.2017 and quash the same and consequently to grant permission to conduct village level 'Men's Kabaadi Tournament' from 29.12.2017 at about 12.00 a.m to 30.12.2017 at 12.00 p.m.

For Petitioner : Mr.K.Sankar

For Respondent : Mr.D.Muruganantham
Additional Government Pleader.

O R D E R

This Writ Petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in Na.Ka.No.22/P1PS/2017 dated 08.12.2017 and quash the same and consequently to grant permission to conduct village level 'Men's Kabaadi Tournament' from 29.12.2017 at about 12.00 a.m to 30.12.2017 at 12.00 p.m.

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 submitted that the villagers jointly decided to conduct "Kabadi" tournament from 29.12.2017 at about 12.00 a.m to 30.12.2017 at 12.00 p.m., at Ayyapuram Village, Puliyankudi, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 04.12.2017, seeking permission and protection to



conduct the Kabadi tournament on the above said dates. However, the respondent rejected the claim of the petitioner and passed the impugned order. Hence the petitioner has filed this writ petition.

5. The permission was rejected by the respondent on the ground that there is a law and order problem in the area. Kabadi tournament is a sports event and when conducted at village level it should be encouraged. When the organizer of the tournament conducts a sport event, the respondent cannot deny the permission on mere apprehension of law and order problem. In such circumstances, the impugned order passed by the respondent in Na.Ka.No.22/P1PS/2017 dated 08.12.2017 is quashed. The respondent is directed to consider the representation of the petitioner dated 04.12.2017 and grant permission and adequate police protection to conduct "Kabadi" tournament from 29.12.2017 at about 12.00 a.m to 30.12.2017 at 12.00 p.m., at Ayyapuram Village, Puliyankudi, Tirunelveli District, subject to the following conditions:

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

ii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.

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

iv) 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.

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

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

(vii) There should not be any flex boards representing any community or political leaders;

(viii) 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;

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

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

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

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

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

(xiv) It is open to the respondent to put any reasonable restriction or conditions, so as to ensure maintenance of law and order and communal harmony.



7. In view of the above, the Writ Petition is allowed. No costs.

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Sd/-
Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

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

+One cc to Mr.K.Sankar, Advocate, SR.No.92773

+One cc to The Special Government Pleader, SR.No.93170

cmr
RL/4C/3P/SV/MMS/SAR1/22/12/2017

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