



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.22979 of 2017

T.Jeyaparakash

... Petitioner

/Vs./

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

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

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to grant permission and police protection for conducting Kabaddi Tournament as scheduled to be held on 06.01.2018 from 06.00 p.m. to next day 07.01.2018 up to 06.00 a.m. at the playground earmarked behind back to the Arul Migu Sri.Akilandeswari Mutharamman Temple, Kudankulam Village, Radhapuram Taluk, Tirunelveli District.

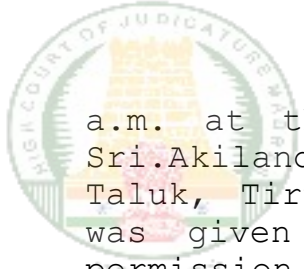
For Petitioner	: Mr.S.Balamurugan
For Respondents	: Mr.D.Muruganantham, Additional Government Pleader.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the second respondent to grant permission and police protection for conducting Kabaddi Tournament as scheduled to be held from 06.01.2018, 06.00 p.m. to next day, 07.01.2018 up to 06.00 a.m. at the playground earmarked behind back to the Arul Migu Sri.Akilandeswari Mutharamman Temple, Kudankulam Village, Radhapuram Taluk, Tirunelveli District.

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

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament to be held from 06.01.2018, 06.00 p.m. to next day, 07.01.2018 up to 06.00



a.m. at the playground earmarked behind back to the Arul Migu Sri.Akilandeswari Mutharamman Temple, Kudankulam Village, Radhapuram Taluk, 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 dates, 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 respondents, 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 respondents, 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. Accordingly, the Writ Petition is disposed of with the following directions:

The second respondent / Inspector of Police, Kudankulam Police Station, Radhapuram Taluk, Tirunelveli District, is directed to consider the representation of the petitioner, dated 23.11.2017 and to give permission and to provide police protection for conducting "Kabbadi Tournament" at the playground earmarked behind back to the Arul Migu Sri.Akilandeswari Mutharamman Temple, Kudankulam Village, Radhapuram Taluk, Tirunelveli District, scheduled to be held from 06.01.2018, 06.00 p.m. to next day, 07.01.2018 up to 06.00 a.m. subject to the following conditions;

(i)The Kabadi tournament at the playground earmarked behind back to the Arul Migu Sri.Akilandeswari Mutharamman Temple, Kudankulam Village, Radhapuram Taluk, Tirunelveli District, scheduled to be held from 06.01.2018, 06.00 p.m. to next day, 07.01.2018 up to 06.00 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.

iii) 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 (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

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

+One cc to The Special Government Pleader, SR.No.93165

+One cc to Mr.S.Balamurugan, Advocate, SR.No.93248

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RL/5C/3P/SKN/RSK/SAR1/20/12/2017

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