



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD) No.24211 of 2017

S.Muthuselvam

... 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 from 07.01.2018 at about 8:00pm to 08.01.2018 at about 8:00am at Pattaipillaipudur Thidal, Nanguneri Taluk, Tirunelveli District and for usage of mike set during the above Kabadi Tournament.

For Petitioner	: Mr.D.Venkatesh
For Respondent	: Mr.A.K.Baskara Pandian Spl. Govt. Pleader

O R D E R

Mr.A.K.Baskara Pandian, Special Government Pleader, takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

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

3. The present writ petition has been filed for issuance of a Writ of Mandamus, seeking a direction to the respondent to grant permission and accord protection for conducting the Kabadi tournament scheduled from 07.01.2018 at about 8:00pm to 08.01.2018 at about 8:00am at Pattaipillaipudur Thidal, Nanguneri Taluk, Tirunelveli District and for usage of mike set during the above Kabadi Tournament.

4. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi



tournament between 07.01.2018 and 08.01.2018. In this connection, a representation dated 16.12.2017 was given to the respondent police, with a request to grant permission to conduct the events on the above said dates, however, the respondent 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 would further submit that as the said event will be celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

5. The Special Government Pleader appearing for the respondent, on instructions, would submit that the prayer 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.

6. Having considered the facts and circumstances and the submissions made by the counsel for the petitioner and the Special 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 dates.

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

(i) The Kabadi tournament is permitted to be conducted at at Pattaipillaipudur Thidal, Nanguneri Taluk, Tirunelveli District between 10.00pm on 07.01.2018 and 08:00am on 08.01.2018.

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 tranquility.

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 religious or sectarian community or leader, who is alive, 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 meeting. In the event of any suspicion of consumption of alcohol, by the respondent police, they can very well check the person by using Alcohol Breath Analyser;

(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 second respondent is directed to issue necessary permission, incorporating the above conditions.

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

(xv) The petitioner shall not use mikes with loud speakers or amplifiers, as it causes disturbance to students, patients and old aged people. No costs.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To:

1. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.D.Venkatesh, Advocate Sr.No.95152

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VB/MR/SAR4/29/12/2017/3P/4C