

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 18.05.2017****CORAM:****THE HON'BLE Mr.JUSTICE M.V.MURALIDARAN****W.P(MD)No.9206 of 2017**

R.Jabaraj

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent in his proceedings dated 10.05.2017 and quash the same as illegal and consequently directing the respondent to grant permission and afford protection for conducting the kabadi tournament scheduled between on 27.05.2017 from 10.00 p.m to 9.30 a.m on 28.05.2017 and for usage of mike set during the said tournament scheduled at CSI Play Ground, Pulavanpatti, sivanthipuram village, Ambasamudram Taluk, Tirunelveli District.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.K.Guru,
Additional Government Pleader.**ORDER**

The writ petition has been filed for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent in his proceedings dated 10.05.2017 and quash the same as illegal and consequently directing the respondent to grant permission and afford protection for conducting the kabadi tournament scheduled between on 27.05.2017 from 10.00 p.m to 9.30 a.m on 28.05.2017 and for usage of mike set during the said tournament scheduled at CSI Play Ground, Pulavanpatti, sivanthipuram village, Ambasamudram Taluk, Tirunelveli District.

2.The learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.



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

4. The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period; that a representation was given to the respondent concerned, but, however, the same was not considered by the respondents so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit that as the Kabadi is conducted in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5. 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 appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such competition.

6. In view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with a direction to the respondent concerned to accord permission to the petitioner to conduct the Kabadi in connection with the above said festival of the said Temple between on 27.05.2017 from 10.00 p.m to 9.30 a.m on 28.05.2017 by incorporating the following conditions:

i) The petitioner and other participants shall not shout / raise any slogan implicating / demoralizing any party or party leader, any caste, community or creed;

ii) The Referee must be a professionally competent person to be nominated / appointed from the District Kabadi Association;

iii) The petitioner shall ensure that no untoward incident is caused thereby disturbing the public peace and tranquility.

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

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

<https://hcservices.ecourts.gov.in/HCServices/> The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.



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

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

(ix) In the event of any untoward incident, the organizers of the tournament will be made responsible for the same;

(x) 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.

(xi) A qualified Ortho specialist must be nominated / appointed.

(xii) The participants of the tournament shall be provided soft nutritious drinks.

(xiii) no loud speaker shall be used after 6.00 p.m. to next day morning 6.00 a.m.

Sd/-

Assistant Registrar(V.O)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Special Government Pleader in SR.No.56991

+1cc to Mr.D.Venkatesh, Advocate, SR.No.57020

MYR/smn2

AE/MMS/SAR3/19.05.2017/3P/4C

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