



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.05.2018

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.9251 of 2018 and
W.M.P. (MD) No.8564 of 2018

P.Narayanan

... Petitioner

Vs.

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

2. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorariafied Mandamus, to call for the entire records pertaining to the impugned order passed by the 2nd respondent and quash the same as illegal and direct the respondents to grant permission and adequate police protection to conduct the Kabaddi Tournament on the eve of Sandhana Mari Amman temple festival, in SRKN Kabaddi Ground, Vadaku Karachery, Srivaikundam Taluk, Thoothukudi District from 04.05.2018 to 06.05.2018 based on the petitioner's representation dated 18.04.2018 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.N.Ramesharumugam
For Respondents : Mr.K.Saravanan
Government Advocate.

ORDER

This Writ Petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order passed by the 2nd respondent and quash the same as illegal and direct the respondents to grant permission and to give adequate police protection to conduct the Kabaddi Tournament on the eve of Sandhana Mari Amman temple festival, in SRKN Kabaddi Ground, Vadaku Karachery, Srivaikundam Taluk, Thoothukudi District from 04.05.2018 to 06.05.2018 based on the petitioner's representation dated 18.04.2018 within the time limit that may be stipulated by this Court.



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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Kabadi" tournament from 04.05.2018 to 06.05.2018 at SRKN Kabaddi Ground, Vadaku Karachery, Srivaikundam Taluk, Thoothukudi District. In this connection, a representation was given to the first respondent police on 18.04.2018, with a request to grant permission to conduct the tournament on the above said date, however, the first respondent Police has rejected the said representation, by the impugned proceedings dated 25.03.2018 and hence the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Kabadi Tournament is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. The learned Government Advocate appearing for the respondents, on instructions, submitted that the respondents have serious objection for permitting the petitioner to conduct "Kabadi" tournament.

5. However, taking into account the serious objections of the respondent police, the impugned order passed by the first respondent, dated 25.03.2018 is set aside and the writ petition is allowed with the following direction:-

i) The second respondent/Inspector of Police, Murappanadu Police Station, Thoothukudi District, is directed to reconsider the representation of the petitioner, dated 18.04.2018 and to give permission and to provide police protection for conducting **"Kabadi"** tournament scheduled to be held from **04.05.2018 to 06.05.2018** at SRKN Kabaddi Ground, Vadaku Karachery, Srivaikundam Taluk, Thoothukudi District.

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 and necessary medicines 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.

<https://hcservices.ecourts.gov.in/hcservices/> Slogans praising communal leader or having communal overtones should not be played.



Vii) Adequate security for the public, especially ladies and children must be assured.

viii) There should not be any Flex Boards or hoardings representing any community or political leaders;

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.

6. The second respondent is at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility so as to maintain law and order and communal harmony. There can be a total ban for putting up any Flex Boards representing any community. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
2. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

+ 1 CC TO Mr.M.S.JEYAKARTHIK, ADVOCATE IN SR No. 65100
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 65113

TA/DSK

<https://hcservices.gov.in/hcservices/> 04/05/2018 : 3P/5C

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