

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 03.05.2018

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THE HON'BLE MRS.JUSTICE R.THARANI**W.P. (MD) No.10528 of 2018**

A.Chellathurai

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give permission and protection for conducting Kabaadi tournament on 11.05.2018 at 7.00 p.m. to 12.05.2018 at 6.00 a.m. and on 13.05.2018 at 7.00 p.m. to 14.05.2018 at 6.00 a.m. during the annual festival of Mahendragiri Mahimaipathi Ayya Vaikuntasamy, Sri Regunathapuram, Panagudi, Tirunelveli District, based on the representation of the petitioner dated 27.04.2018.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.K.Saravanan
Government Advocate

ORDER

This Writ Petition is filed for issuing a Writ of Mandamus, directing the respondents to give permission and protection for conducting Kabaadi Tournament on 11.05.2018 at 7.00 p.m. to 12.05.2018 at 6.00 a.m. and on 13.05.2018 at 7.00 p.m. to 14.05.2018 at 6.00 a.m. during the annual festival of Mahendragiri Mahimaipathi Ayya Vaikuntasamy, Sri Regunathapuram, Panagudi, Tirunelveli District, based on the representation of the petitioner, dated 27.04.2018.



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 on 11.05.2018 at 7.00 p.m. to 12.05.2018 at 6.00 a.m. and on 13.05.2018 at 7.00 p.m. to 14.05.2018 at 6.00 a.m. during the annual festival of Mahendragiri Mahimaipathi Ayya Vaikuntasamy, Sri Regunathapuram, Panagudi, Tirunelveli District. In this connection, a representation was given to the respondents on 27.04.2018, with a request to grant permission to conduct the tournament on the above said date, however, the respondents have 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" 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 this Court may grant permission for conducting "Kabadi" Tournament, subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/Inspector of Police, Panagudi Police Station, Panagudi, Tirunelveli District, is directed to consider the representation of the petitioner, dated 27.04.2018 and to give permission and to provide police protection for conducting "Kabadi" tournament scheduled to be held on 11.05.2018 at 7.00 p.m. to 12.05.2018 at 6.00 a.m. and on 13.05.2018 at 7.00 p.m. to 14.05.2018 at 6.00 a.m. during the annual festival of Mahendragiri Mahimaipathi Ayya Vaikuntasamy, Sri Regunathapuram, Panagudi, 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 and necessary medicines 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 organizers of the tournament be made responsible for the same;

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

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

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 tranquillity, 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.

Sd/-

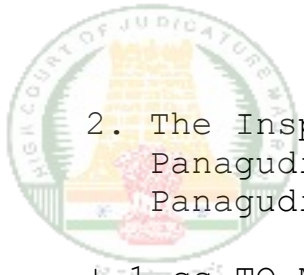
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

<https://hcservices.hcscourts.gov.in/hcservices>
The Superintendent of Police,
Tirunelveli District, Tirunelveli.



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

+1 cc TO Mr.R.Pon Karthikeyan , Advocate in SR No. 65177

+1 cc TO The Special Government Pleader in SR No. 65118

tsg/akv

AE/JC/SAR1/08.05.2018/4P/5C

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