



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.(MD) No.24282 of 2018

M.Sankar

... Petitioner

vs.

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent and quash the same and further directing the second respondent to grant permission and adequate police protection for conducting Kabadi Tournament at Karungulam, Srivaikundam Taluk, Thoothukudi District on 22.12.2018 and 23.12.2018.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.R.Anandharaj

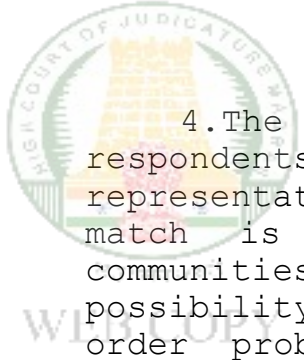
Additional Public Prosecutor

O R D E R

This writ petition has been filed challenging the impugned order passed by the second respondent, wherein the second respondent rejected the request of the petitioner for conducting the Kabadi Tournament, and seeking further direction to the second respondent to grant permission and adequate police protection for conducting the Kabadi Tournament at Karungulam, Srivaikundam Taluk, Thoothukudi District on 22.12.2018 and 23.12.2018.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.The learned counsel for the petitioner would submit that the petitioner is the member of the Kabadi Club in the name of Bose Kabadi Club. The petitioner organization have been conducting Kabadi Tournabment in his village for the past eight years in a peaceful manner without any hindrance to anybody. Accordingly, in this year also, the petitioner organization have decided to conduct the Kabadi Tournament on 22.12.2018 and 23.12.2018. Therefore, the petitioner approached the second respondent seeking necessary permission and protection for conducting kabadi Tournament.



4. The learned Additional Public Prosecutor appearing for the respondents would submit that second respondent has rejected the representation of the petitioner on the ground that since when the match is conducted, the people belonging to the different communities of several villages would come there and that there is a possibility of community problem and thereby apprehending law and order problem, the representation of the petitioner has been rejected.

5. The learned counsel for the petitioner would further submit that every effort will be taken to conduct the Kabadi match in a peaceful manner.

6. The learned Additional Public Prosecutor would further submit that time sought for by the petitioner to conduct the tournament is very long, therefore, it has to be restricted.

7. The apprehension of the respondents is taken note of. However, on this score, there cannot be a total ban to conduct a sports event. In view of the same, the impugned order of the second respondent is set aside and the respondents are directed to grant permission for conducting the Kabadi tournament, by enclosing the following conditions:

i) The Kabadi tournament should be completed within the time frame fixed by the respondent police;

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) There should not be any Flex Boards 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 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 Referee must be authorized person from the District Association; and xiv) The second respondent is at liberty to impose 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.

8. The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the tournament.

9. The writ petition stands disposed of with the above directions. No costs.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar(CS-IV)

To:

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

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Pragalathan, Advocate, SR.No.99812

W.P. (MD) No.24282 of 2018

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