



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.(MD) No.24200 of 2018

WEB COPY

N.V.Murugan

... Petitioner

Vs.

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

2.The Inspector of Police,
Murappanadu Police Station,
Tuticorin, Tuticorin 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 pertaining to the second respondent made in his proceedings 08/C2PS/Memo/2018 order dated 29.11.2018 and quash the same and to direct respondents to give permission and adequate police protection to conduct the District Level lighting Kabadi Tournaments for one day to be held from 15.12.2018 to 16.12.2018 at about 06.00 p.m to 05.00 a.m and all the tournaments match which would be conducted at the private land at Perumal Kovil Temple Agaram village, Srivaigundam Taluk, Tuticorin District.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.R.Anandharaj

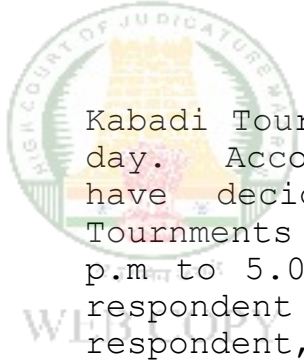
Additional Public Prosecutor.

ORDER

This writ petition has been filed challenging the proceedings of the second respondent in 08/C2PS/Memo/2018 dated 29.11.2018, wherein the second respondent rejected the request of the petitioner for conducting the Kabadi Tournament, and seeking further direction to the respondents to give permission and adequate police protection to conduct the District Level Lighting Kabadi Tournaments for one day to be held from 15.12.2018 to 16.12.2018 at about 06.00 p.m to 05.00 a.m and all the tournaments match which would be conducted at the private land at Perumal Kovil Temple Agaram village, Srivaigundam Taluk, Tuticorin District.

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 Organizer of Veerapandiya Kabadi Tournament at Agaram Village, Srivaigundam Taluk, Tuticorin District. The petitioner organization is conducting the District Level Lighting



Kabadi Tournament in every year during the month of December for one day. Accordingly, in this year also, the petitioner organization have decided to conduct the District Level Lighting Kabadi Tournaments for one day from 15.12.2018 to 16.12.2018 at about 06.00 p.m to 5.00 a.m. Therefore, the petitioner approached the second respondent on 28.11.2018 for police protection. But the second respondent, by impugned order dated 29.11.2018, had rejected the request of the petitioner.

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 no permission has been granted in Tuticorin District for conducting Kabadi matches recently 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 in 08/C2PS/Memo/2018 dated 29.11.2018 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 boardings 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 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 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(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

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

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

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

+1CC to Mr.S.Krishnan, Advocate, SR.No.100028

W.P. (MD) No.24200 of 2018
12.12.2018