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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P.(MD) No.11446 of 2018

S.Sridharan

... Petitioner

Vs.

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

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

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the second respondent to grant permission and adequate police protection for conducting Kabadi tournament at Veilukanthamman Thidal, Vadakarai, Gangaikondan, Tirunelveli District held on 09.06.2018 at 06.00 p.m., to 10.06.2018 at 10.00 p.m., on the event of the 7th years Lighting Kabadi Tournament.

For Petitioner : Mr.S.Sundara Pandian

For Respondents : Mr.K.Saravanan,
Government Advocate.

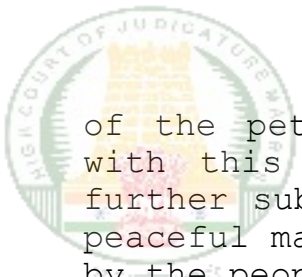
ORDER

(Order of the Court was made by M.V.MURALIDARAN)

The prayer in this writ petition is to direct the second respondent to grant permission and adequate police protection for conducting Kabadi tournament at Veilukanthamman Thidal, Vadakarai, Gangaikondan, Tirunelveli District held on 09.06.2018 at 06.00 p.m., to 10.06.2018 at 10.00 p.m., on the event of the 7th years Lighting Kabadi Tournament.

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing on behalf of the respondents.

3.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Kabadi" tournament on 09.06.2018 and 10.06.2018 at Veilukanthamman Thidal, Vadakarai, Gangaikondan, Tirunelveli District. In this connection, a representation was given to the respondents on 25.05.2018, with a request to grant permission to conduct the tournament on the above said dates, 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.

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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/The Inspector of Police, Gangaikondan Police Station, Gangaikondan, Tirunelveli District, is directed to consider the representation of the petitioner, dated 25.05.2018 and to give permission and to provide police protection for conducting "Kabadi" tournament scheduled to be held on 09.06.2018 at about 09.00 a.m., to 09.00 p.m., and 10.06.2018 at about 09.00 a.m., to 09.00 p.m., at Veilukanthamman Thidal, Vadakarai, Gangaikondan, 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 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 village people and the organizers of the tournament be made responsible for the same;

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

xiii) 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 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 (AD II) /
Vocation Officer

/True Copy/

Sub Assistant Registrar

To:

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

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

+1cc to Mr. S. Sundarapandian, Advocate, SR.No.66442

+1cc to Spl. Government Pleader, SR.No.66403

W.P. (MD) No.11446 of 2018
30.05.2018

CP/VS

VE/SKN/RSK/SAR 1/04.06.2018/3P/5C