



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.11564 of 2018

S.Sathiyamoorthi

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Uppliyapuram Police Station,
Trichy, Trichy District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to grant permission for conducting village level Fed light Kabadi Tournament to be held on 01.06.2018 at about 09.00 a.m., to 02.06.2018 at about 06.00 p.m., in Temple Ground, Vishvambal Samudhiram (North), Thuraiyur Taluk, Trichy District based on the petitioner's representation dated 15.05.2018 submitting before the respondents.

For Petitioner : Mr.K.Sivabalan

For Respondents : Mr.V.R.Shanmuganathan,
Special Government Pleader.

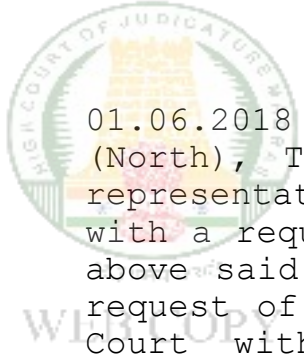
ORDER

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

The prayer in this writ petition is to direct the respondents to grant permission for conducting village level Fed light Kabadi Tournament to be held on 01.06.2018 at about 09.00 a.m., to 02.06.2018 at about 06.00 p.m., in Temple Ground, Vishvambal Samudhiram (North), Thuraiyur Taluk, Trichy District based on the petitioner's representation dated 15.05.2018 submitting before the respondents.

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

3.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Kabadi" tournament on



01.06.2018 and 02.06.2018 at Temple Ground, Vishvambal Samudhram (North), Thuraiyur Taluk, Trichy District. In this connection, a representation was given to the second respondent on 15.05.2018, 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.

4. The learned Special Government Pleader 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 Sub Inspector of Police, Uppiliyapuram Police Station, Trichy, Trichy District, is directed to consider the representation of the petitioner, dated 15.05.2018 and to give permission and to provide police protection for conducting "Kabadi" tournament scheduled to be held on 01.06.2018 at about 09.00 a.m., to 09.00 p.m., and 02.06.2018 at about 09.00 a.m., to 09.00 p.m., at Temple Ground, Vishvambal Samudhram (North), Thuraiyur Taluk, Trichy 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/-

Vacation Officer.

/True Copy/

Sub Assistant Registrar

To:

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

2. The Sub Inspector of Police,
Uppliyapuram Police Station,
Trichy, Trichy District.

+1CC to Mr.K.Sivabalan, Advocate, SR.No. 66220

W.P.(MD) No.11564 of 2018

30.05.2018

cp/vs

AM/RSK/SAR 1/31.05.2018/3P/4C