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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2018

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P. (MD) No.25324 of 2018

D.Murugan

... Petitioner

Vs.

The State represented through
The Inspector of Police,
Thazahiyuthu Police Station,
Tirunelveli District.

... Respondent

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari Mandamus, to call for the records relating to the order passed by the respondent dated 13.12.2018 as illegal and subsequently direct the respondent to grant permission and protection for State Level Kabadi tournament for men and women scheduled to be held on 05.01.2019 and 06.01.2019 in Kenbridge stadium, Thazhaiyuthu, Tirunelveli District by considering the petitioner's representation dated 03.12.2018.

For Petitioner : Mr.S.Ajmeer Kaja

For Respondent : Mr.R.Anandaraj

Addl. Public Prosecutor

ORDER

This writ petition has been filed challenging the impugned order passed by the respondent dated 13.12.2018, wherein the respondent rejected the request of the petitioner and seeking a consequential direction to the respondent to grant permission and protection for State Level Kabadi tournament for men and women scheduled to be held on 05.01.2019 and 06.01.2019 in Kenbridge stadium, Thazhaiyuthu, Tirunelveli District by considering the petitioner's representation dated 03.12.2018.

2. The learned Additional Public Prosecutor appearing for the respondent submits earlier during the year 2010-2011, there was a problem and that cases were registered against the players in the village.

3. The learned counsel for the petitioner would submit that the petitioner has intended to conduct the State Level



Kabadi Tournament only inside of the School premises. He would further submit that through the permission had been sought for to conduct procession and the sports events, the petitioner will restrict his claim only to the sports event alone.

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

5. The apprehension of the respondents is taken note of. In view of the same, this Court is inclined to set aside the impugned order dated 13.12.2018. Accordingly, the impugned order is set aside and the respondent police 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;



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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 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.

6. 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.

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

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar(cs-I)

To

- 1.The Inspector of Police,
Thazahiyuthu Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+lcc to Mr.S.Ajmeer Kaja Advocate in SR.No.101852

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21.12.2018

DAS