



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.18760 of 2018

and W.M.P. (MD) Nos. 16600 and 16601 of 2018

D.Jebaraj

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Moontradapippu Police Station,
Tirunelveli District 627 152.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus by calling for the records pertaining to the impugned order passed by the second respondent dated nil, and quash the same and consequently directing the respondents to grant permission to conduct Kabadi Match on 01.09.2018 between 8 p.m and 8 a.m along with necessary sound service within the premises of C.M.S.Church, Packianathapuram, Tirunelveli District during the celebration of "'29th Anantha Pandigai - 2018".

For Petitioner : Mr.G.Mohankumar

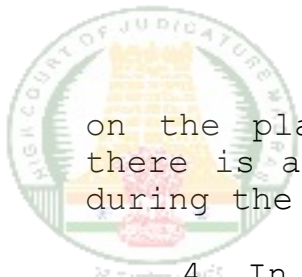
For Respondents : Mr.B.Bhagavathi
Government Advocate

ORDER

This writ petition has been filed directing the respondents to grant permission for conducting Kabadi tournament, scheduled to be held from 01.09.2018 between 8 p.m and 8 a.m along with necessary sound service within the premises of C.M.S.Church, Packianathapuram Tirunelveli District during the celebration of "'29th Anantha Pandigai - 2018".

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The learned Government Advocate appearing for the respondents submits that the police does not have any reservations



on the place, where the tournament is to be conducted. However, there is an apprehension that some law and order problem may arise during the tournament.

4. In view of the submissions made by both sides, the impugned order dated nil is set aside.

5. The respondents police are directed to grant permission for conducting the Kabadi tournament, by enclosing 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 Referee must be authorized person from the District Association; and

xiii) 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 allowed with the above directions. However, there shall be no order as to costs. Consequently, connected W.M.P. (MD) Nos.16600 and 16601 of 2018 are closed.

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Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To

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

2.The Sub Inspector of Police,
Moontradapippu Police Station,
Tirunelveli District 627 152.

+1cc to M/S.G.Mohankumar, Advocate SR.No. 80918

W.P. (MD) No.18760 of 2018
and W.M.P. (MD) Nos.16600 and 16601 of 2018

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JM/SKN/SAR 2/30.08.2018/3P/4C