



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.05.2019

CORAM :

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P. (MD) No.11870 of 2019

Muthukumar

... Petitioner

/Vs./

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

2.The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give permission and protection for conducting Kabadi Tournament at Public Ground , Mudukalankulam, Kayathar Taluk, Thoothukudi District scheduled to be held on 09.05.2019 to 11.05.2019 in connection with the festival of Arulmigu Sri Kaliyamman Kovil situated at Mudukalankulam Kayathar Taluk Thoothukudi District and considering the representation dated 30.04.2019.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to give permission and protection for conducting Kabadi Tournament at Public Ground , Mudukalankulam, Kayathar Taluk, Thoothukudi District scheduled to be held from 09.05.2019 to 11.05.2019 in connection with the festival of Arulmigu Sri Kaliyamman Kovil situated at Mudukalankulam Kayathar Taluk Thoothukudi District by considering the representation of the petitioner dated 30.04.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned Government Advocate (Crl. Side) has no serious



objection to grant permission to the petitioner to conduct the Kabadi Tournament subject to stringent conditions.

4. Considering the facts and circumstances of the case, this Court directs the respondents to consider the representation of the petitioner dated 30.04.2019 and dispose of the same by enclosing the following conditions:

i) The Kabadi tournament done by the petitioner scheduled to be held from 09.05.2019 to 11.05.2019, should be conducted between 06.00 am., and 10.00 a.m.,;

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;

x) Similarly, the Police is empowered to stop the Kabadi tournament, if it exceeds beyond the permitted time;

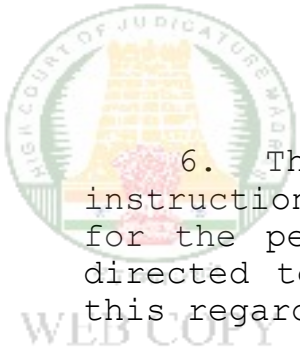
xi) the participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

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.

xv) In any event, Kabadi Tournament will be conducted only from 09.05.2019 to 11.05.2019, and it should be conducted between 06.00 am., and 10.00 a.m., ;



6. The learned counsel appearing for the petitioner on instructions undertakes that the petitioner will take responsibility for the peaceful conduct of the entire Kabadi Tournament. He is directed to give necessary undertaking to the respondent police in this regard.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE) /Vacation
Officer

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Thoothukudi ,
Thoothukudi District.
- 2.The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.SELVAKUMAR, Advocate, SR.No. 65364

W.P.(MD)No.11870 of 2019
08.05.2019

TRP
KK/SAR/09.05.2019/ 3P- 5C