



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.5306 of 2019

Sekar

... Petitioner
Vs.

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

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

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and accord protection for conducting the Kabadi Tournament scheduled for one day i.e. on 09.03.2019 at 8.00 p.m. to 10.03.2019 at 8.00 a.m. going to held in Kamarajar Nagar Koliyankulam Tirunelveli District.

For Petitioner : Mr.C.Susi Kumar

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondent to grant permission and protection for kabadi Tournament scheduled to be held on 09.03.2019 at 8.00 p.m. to 10.03.2019 at 8.00 a.m. at Kamarajar Nagar Koliyankulam Tirunelveli District.

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

3. The learned counsel appearing for the petitioner would submit that the petitioner has given a representation to the respondents on 16.02.2019 seeking permission to conduct the Kabaddi Tournament. Since the same has not been considered, the petitioner is before this Court.

4. The learned Government Advocate (Crl. Side) would submit that as the second respondent apprehends some law and order problem and in the first time, the petitioner is holding the Kabaddi Tournament in the Village, the respondents may be directed to consider the representation of the petitioner.



5. Therefore, this Court directs the second respondent Police to consider the representation of the petitioner and dispose of the same by 08.03.2019 by enclosing the following conditions:

i) The Kabadi tournament done by the petitioner scheduled to be held on **09.03.2019 and 10.03.2019**, should be completed between **06.00 to 09.00 a.m. in the morning** and **04.00 to 10.00 p.m. in the evening**;

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 between **06.00 to 09.00 a.m. in the morning** and **04.00 to 10.00 p.m. in the evening** on **09.03.2019 and 10.03.2019**:

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 (AD II)

// True Copy //

Sub Assistant Registrar (CS II)

To

1. The Superintendent of Police, Tirunelveli, Tirunelveli District.
2. The Inspector of Police,
Radhapuram Police Station, Tirunelveli District.

+1CC to Mr.C.SUSIKUMAR , Advocate SR.No. 52646.

W.P. (MD) No. 5306 of 2019

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