



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.6473 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 second respondent to grant permission and accord protection for conducting the Kabadi Tournament scheduled for one day i.e., on 23.03.2019 at 06.00 p.m. to 24.03.2019 at 09.00 a.m. going to held in Vattavillai Ground, Koodangulam, 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 second respondent to grant permission and accord protection for conducting the Kabadi Tournament scheduled for one day i.e., 23.03.2019 at 06.00 p.m. to 24.03.2019 at 09.00 a.m. going to held in Vattavillai Ground, Koodangulam, 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 13.03.2019, seeking permission to conduct the Kabaadi Tournament. Since the same has not been considered, the petitioner is before this Court.

4. The learned Government Advocate (Crl. Side) would submit that the respondent Police has no serious objection to grant permission to the petitioner to conduct the Kabaadi Tournament subject to stringent conditions.

5. Therefore, this Court directs the second respondent Police to consider the representation of the petitioner and dispose of the

same by 22.03.2019 by enclosing the following conditions:

(a) The Kabadi tournament done by the petitioner scheduled to be held on 23.03.2019 and 24.03.2019, 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;

(b) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed;

(c) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity;

(d) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue;

(e) 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;

(f) Songs praising communal leader or having communal overtones should not be played;

(g) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed;

(h) There should not be any Flex Boards representing any community or political leaders;

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

(j) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

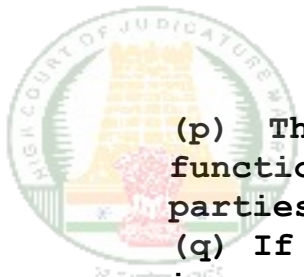
(k) The Referee must be authorized person from the District Association; and

(l) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(m) No donation shall be received from any political party or in the name of any Member associated with any political party.

(n) No prize shall be given in the name of any political party or in the name of any Member associated with any political party.

(o) No speeches supporting or opposing any political party shall be made. No symbol of any political party or picture of any person affiliated in the political party shall be used.



(p) The function will be conducted in the spirit of function and there will not be a bogey for political parties for the general election, 2019.

(q) 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;

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

(s) 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 and

(t) 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 23.03.2019 and 24.03.2019.

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 directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

To

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

+1cc to Mr.C.Susi Kumar, Advocate, SR.No. 55630

W.P. (MD) No. 6473 of 2019
20.03.2019