



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. (MD) No. 8904 of 2019

WEB COPY

D. Santhiyadavid

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Manapparai Taluk, Trichy District,
Trichy.

3. The Inspector of Police,
Vaiyampatti Police Station,
Vaiyampatti, Trichy District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to grant permission and to provide police protection to conduct the 'Kabadi' competition and Sports Activities on 20.04.2019 and 21.04.2019 in pursuant to Sree Kamatchiamman Temple Festival at Vaiyampatti Village, Manapparai Taluk, Trichy District.

For Petitioner : Mr. M. Karthikeyavenkitachalapathy

For Respondents : Mrs. S. Bharathi

Government Advocate (Crl. Side)

ORDER

This writ petition has been filed directing the respondents to grant permission for conducting 'Kabadi' competition and Sports Activities on 20.04.2019 and 21.04.2019 in pursuant to Sree Kamatchiamman Temple Festival at Vaiyampatti Village, Manapparai Taluk, Trichy 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 third respondent on 08.04.2019, seeking permission to conduct the 'Kabadi' competition and Sports Activities. 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 'Kabadi' competition and Sports Activities subject to stringent conditions.

5. Therefore, this Court directs the third respondent Police to consider the representation of the petitioner and dispose of the same by 19.04.2019 by enclosing the following conditions:

i) The 'Kabadi' competition and Sports Activities done by the petitioner scheduled to be held on 20.04.2019 and 21.04.2019, 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' competition and Sports Activities 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' competition and Sports Activities, if it exceeds beyond the permitted time;

xi) the participants of the tournament and Sports Activities 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 and sports activities be made responsible for the same;



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

xiv) The third 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 and Sports Activities 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 **20.04.2019 and 21.04.2019:**

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 and Sports Activities. 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(P&A)

/True Copy/

Sub Assistant Registrar(CS-)

To

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

2.The Deputy Superintendent of Police,
Manapparai Taluk, Trichy District,
Trichy.

3.The Inspector of Police,
Vaiyampatti Police Station,
Vaiyampatti, Trichy District.

Copy To:

THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1cc to Mr.M.Karthikeyavenkitachalapathy, Advocate, SR.No.60919

W.P. (MD) No.8904 of 2019
15.04.2019