



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.9902 of 2019

S.Muruganandam

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Srivilliputhur, Virudhunagar District.

3.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondent police to grant permission to conduct Kabadi Tournament on 11.05.2019 and 12.05.2019 at Hindu Higher Secondary School Ground situated between Akasampatti and Watrap, Virudhunagar District based on the petitioner's representation dated 04.04.2019 within the period stipulated by this Court.

For Petitioner : Mr.M.Thilagar

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl.Side)

ORDER

This petition has been filed, directing the respondents to grant permission to conduct Kabadi Tournament on 11.05.2019 and 12.05.2019 at Hindu Higher Secondary School Ground situated between Akasampatti and Watrap, Virudhunagar District based on the petitioner's representation dated 04.04.2019 within the period stipulated by this Court.

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

3.The learned Government Advocate (Crl.Side) appearing for the respondents submits that the permission was rejected. In the impugned order, it is indicated that sometimes in the year 2013, when Cricket competition was conducted, there was some clash between two sets of SC/PL and SC/PR students, which led to the registration of a case in Crime No.21 of 2013 on the file of the



third respondent police.

4. The learned Government Advocate (Crl. side) would submit that based on registration of the case in earlier occasion, there is an apprehension that some law and order problem may arise during the tournament.

5. The apprehension of the respondents is taken note of. In view of the same, the respondents police are directed to grant permission for conducting the Kabadi tournament, by enclosing the following conditions:

i) The Kabadi tournament done by the petitioner scheduled to be held on 11.05.2019 and 12.05.2019, should be completed between 06.00 am., to 09.00 a.m., in the morning and 04.00 p.m., to 11.00 p.m., in the evening on 11.05.2019 and 12.05.2019;

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

x) No speech supporting or opposing any political party shall be made in the said tournament. No symbol of any political party or picture of any person affiliated in the political party shall be used.

xi) The sport should be conducted in the spirit of sport and there will not be any bogey for political combine for the general election, 2019.

xii) 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;



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

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

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

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

xvii) 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.

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 disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

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To

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

2. The Deputy Superintendent of Police,
Srivilliputhur, Virudhunagar District.

3. The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

+1CC TO MR.M.THILAGAR, Advocate Sr. No. 62369

W.P. (MD) No. 9902 of 2019

24.04.2019