



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.(MD)No.9951 of 2019

WEB COPY

A.R.Nirmalraj

... Petitioner

Vs.

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

2. The Inspector of Police,
Othakadai Police Station,
Madurai.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to grant permission to conduct the Kabadi competition conducted by "Ilaingargal Kabadi Kuzhu" scheduled to be held on 24.05.2019 25.05.2019 and 26.05.2019 at about 4.00 PM to 11.00 AM in the play ground, which is situated near Thirumohoor Road, P.R.P.Ground, Madurai by considering the petitioner's representation dated 03.04.2019.

For Petitioner : Mr.G.Balumahendran

For Respondents : Mrs.S.Bharathi

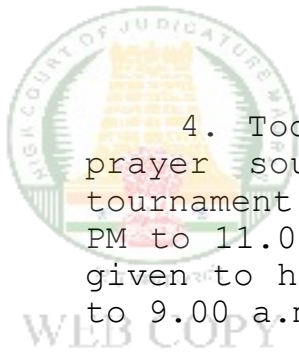
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to grant permission and adequate Police Protection for conducting Kabadi competition by "Ilaingargal Kabadi Kuzhu" scheduled to be held on 24.05.2019, 25.05.2019 and 26.05.2019 at about 4.00 PM to 11.00 AM in the play ground, which is situated near Thirumohoor Road, P.R.P.Ground, Madurai by considering the petitioner's representation dated 03.04.2019.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The petitioner is seeking permission to conduct the Kabadi tournament on 24.05.2019, 25.05.2019 and 26.05.2019 at about 4.00 PM to 11.00 AM in the play ground, which is situated near Thirumohoor Road, P.R.P.Ground, Madurai and he submitted a detailed representation to the respondents on 03.04.2019. Since the same was not considered, the petitioner has filed the present writ petition.



4. Today, when the matter is taken up for hearing, though the prayer sought for by the petitioner is to conduct the Kabadi tournament on 24.05.2019, 25.05.2019 and 26.05.2019 at about 4.00 PM to 11.00 AM, he now restricts his prayer that permission may be given to him to conduct the Kabadi tournament from morning 4.00 a.m to 9.00 a.m and evening 04.00 p.m to 11.00 p.m.

5. The learned counsel for the petitioner submits that the Police is usually treating the breaking schedule of the games as two separate days. Hence, a direction may be issued to the respondent Police not to receive any additional cost for the breaking period.

6. The learned Government Advocate appearing for the respondent submits that the respondent police have no serious objection for conducting the tournament.

7. Considering the submissions made on either side, this Court directs the respondent police to grant permission to the petitioner for conducting the Kabadi tournament in the play ground, which is situated near Thirumohoor Road, P.R.P.Ground, Madurai on 24.05.2019, 25.05.2019 and 26.05.2019 from morning 4.00 a.m to 9.00 a.m and evening 04.00 p.m to 11.00 p.m, by enclosing the following conditions:

i) The Kabadi tournament should be completed from morning 4.00 a.m to 09.00 a.m and evening 04.00 p.m to 11.00 p.m on 24.05.2019, 25.05.2019 and 26.05.2019;

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) 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

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.

8. 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. **It is made clear that as per the judicial order, the entire duration is broken into two parts. The Police is directed not to receive any additional fee for that.**

9. The writ petition is disposed of. No costs.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Othakadai Police Station,
Madurai.

+1 CC to Mr. BALA MAGENDRAN, Advocate (SR-63216[F] dated 27/04/2019)

W.P. (MD) No. 9951 of 2019
25.04.2019

VS

MK/KK (03.05.2019) 3P 4C