



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD)No. 20662 of 2019

Maridurai

... Petitioner

Vs.

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

2. The Inspector of Police
Puliyangudi Police Station
Tirunelveli District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a **Writ of Certiorarified Mandamus**, to call for the records pertaining to the impugned order passed by the second respondent in his proceeding in Na.39/MIICP/P1PS/2019 dated 20.09.2019 and quash the same as illegal and consequently directing the respondents to grant permission and afford protection for conducting the Kabadi Tournament scheduled from 28.09.2019 at 08.00 p.m to 29.09.2019 at 08.00 a.m and 29.09.2019 at 08.00 p.m to 30.09.2019 at 08.00 a.m and for usage of mike set during the said tournament at Tharugapuram, Malaiyadikurichi Post, Sivagiri Taluk, Tirunelveli District.

For Petitioner : Mr.C. Mayilvahana Rajendran

For Respondents : Mr.K. Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed to quash the impugned order passed by the second respondent in his proceeding in Na.39/MIICP/P1PS/2019 dated 20.09.2019 and also sought for a direction to the respondents to grant permission and afford protection for conducting Kabadi Tournament scheduled from 28.09.2019 at 08.00 p.m to 29.09.2019 at 08.00 a.m and 29.09.2019 at 08.00 p.m to 30.09.2019 at 08.00 a.m and for usage of mike set during the said tournament at Tharugapuram, Malaiyadikurichi Post, Sivagiri Taluk, 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 Government Advocate (crl. Side) appearing for the respondents submitted that the police does not have any reservations on the place, where the tournament is to be conducted. However, there is an apprehension that some law and order problem may arise during the tournament.

4. The respondents police are directed to grant permission for conducting the Kabadi tournament on 28.09.2019 and 29.09.2019, by enclosing the following conditions:

i)the " Kabadi Tournament" scheduled to be held on 28.09.2019 and 29.09.2019 should be completed before 11.00 p.m.

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.

5. 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.

6. The writ petition stands disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police
Puliyangudi, Tirunelveli District.
2. The Inspector of Police
Puliyangudi Police Station
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-89425[F] dated 26/09/2019)

W.P. (MD)No. 20662 of 2019
25.09.2019

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JM/26.09.2019/3P/5C