



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2015

CORAM:

THE HONOURABLE Mr. JUSTICE M.M. SUNDRESH

Writ Petition(MD)No.11115 of 2015

and

M.P. (MD)No.1 of 2015

P.Senthilkumar

... Petitioner

Vs

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

2.The Sub Inspector of Police,
Kandamanur Police Station,
Kandamanur,
Theni District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent dated 24.06.2015 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting the District Level Kabadi Tournament at Ponnamalpatti, Thekkampatti Post, Aundipatty Taluk, Theni District on 03.07.2015, 04.07.2015 and 05.07.2015 by considering the representation dated 24.06.2015 sent by the petitioner.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.M.Murugan
Government Advocate

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent dated 24.06.2015 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting the District Level Kabadi Tournament at Ponnamalpatti, Thekkampatti Post, Aundipatty Taluk, Theni District on 03.07.2015, 04.07.2015 and 05.07.2015 by considering the representation dated 24.06.2015 sent by the petitioner.

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

3.The learned counsel for the petitioner submitted that the petitioner is the resident of Ponnamalpatti and he is the caption of Muthusamy, Eswaran, Gurudev Memorial Sports Club and they have conducting District Level Kabadi Tournament from the year 2003 in a grand peaceful manner and for this year also, they have decided to conduct District Level Kabadi Tournament in their village on 03.07.2015,



04.7.2015 and 05.07.2015, for which they have submitted a representation to the second respondent. He further submitted that the second respondent has passed impugned order rejecting the petitioner's request and hence, the petitioner is before this Court with this Writ Petition.

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4. The only objection raised is that if permission is granted, it would likely lead to law and order problem. From the order passed by the second respondent there was no indication that law and order problem would be arisen. It is for the respondent to impose any condition to maintain law and order problem. It is not as if there was any prior untoward occurrence in the conduct of the programme.

5. Accordingly, the impugned order is set aside and the Writ Petition is allowed by imposing the following conditions:-

(i) The petitioner should ensure that sufficient medical facilities are available at the venue;

(ii) There should not be any kind of play of communal songs praising any communal leaders;

(iii) There should not be any kind of flex boards or hoardings during the said competition;

(iv) It is open to the second respondent to impose other reasonable restrictions for the conduct of Kabadi competition in public interest and to ensure peace;

(v) The said Kabadi competition should be restricted between 06.00 a.m and 11.00 p.m., on 03.07.2015, 04.07.2015 and 05.07.2015.

(vi) The second respondent is directed to issue necessary permission, incorporating the above conditions.

6. Apart from the above said conditions, it is further made clear that the petitioner should not wear any garment bearing the name, symbol and flag of any political party.

No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

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

2.The Sub Inspector of Police,

Kandamanur Police Station,Kandamanur,Theni District.

+1cc to Mr.G.Thalaimutharasu,Advocate SR.No.35616

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