



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2015

CORAM :

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.11572 of 2015

Vasudevan

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order dated 01.07.2015 passed by the second respondent in his Proceedings Nil and quash the same and consequently direct the second respondent to grant permission and police protection to the petitioner for conduct of Kabadi Tournament schedule to be held on 25.07.2015 and 26.07.2015 at Avaniapuram Playground, Avaniyapuram, Madurai.

For Petitioner : M/s.T.Vadivelan

For Respondents : Mr.S.Kumar
Additional Government Pleader**ORDER**

Mr.S.Kumar, learned Additional Government Pleader takes notice on behalf of the respondents. By consent, the writ petition is taken up for disposal at the stage of admission.

2. This writ petition has been filed under Article 226 of Constitution of India, seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order dated 01.07.2015 passed by the second respondent in his Proceedings Nil and quash the same and consequently direct the second respondent to grant permission and police protection to the petitioner for conduct of Kabadi Tournament schedule to be held on 25.07.2015 and 26.07.2015 at Avaniapuram Playground, Avaniyapuram, Madurai.

3. Heard the learned counsel for the parties and perused the records available on record.

4. Learned counsel for the petitioner would submit that the petitioner is the resident of Avaniyapuram village is organizing only a



sports event and the villagers are jointly decided to conduct "Kabadi Tournament" on 25.07.2015 and 26.07.2015. In this connection, a representation was given on 01.07.2015 to the second respondent, with a request to grant permission to conduct "Kabadi Tournament". The second respondent has passed impugned order rejecting the petitioner's request and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the "Kabadi Tournament" is conducted in a peaceful manner by the Villagers, there will be no untoward incident by the people of the village. Further, the learned counsel undertakes that the petitioner would not give any political colour to the Kabadi Game, scheduled to be held on 25.07.2015 and 26.07.2015 and the petitioner is prepared to abide by any conditions to be imposed by the respondents, if the respondents grant permission for conducting Kabadi Game. The undertaking given by the learned counsel for the petitioner is recorded.

5. The only objection raised is that if permission is granted, it would likely lead to law and order problem. It is for the second 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.

6. Accordingly, the impugned order is set aside and the Writ Petition is allowed and the petitioner to conduct Kabadi match and therefore, permission may be granted with certain conditions.

7. Taking note of the fact that the petitioner is going to organise only Kabadi Game, keeping it open to everyone from his village and outside the village, beyond religion, caste, community and religion, this Court finds no impediment to grant permission to conduct "Kabadi Tournament" event, on 25.07.2015 and 26.07.2015 at Avaniapuram Playground, Avaniapuram, Madurai and the second respondent is directed to give permission to the petitioner to conduct "Kabadi Tournament" event, subject to the following conditions:-

i)The petitioner shall ensure that the Kabadi Game should not spill over beyond the stipulated time;

ii)The petitioner and other participants should not raise any slogan about the party or party leader;

iii)The petitioner shall ensure that there will not be any untoward incident, causing disturbance to the public peace and tranquility;

iv)The petitioner shall also ensure for proper first-aid arrangements, by keeping one or two doctors at the venue.

v)The participants of Kabadi Game shall not wear any dress showing the slogan or picture of any communal/political leader; and

vi)The petitioner shall ensure that there should not be any flux board or hoardings at the venue.

7. If any of the above said conditions are violated, it is open to the respondents to take appropriate action, in accordance with law.



8. With the above directions, this writ petition is ordered as above.
No costs.

WEB COPY

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

+1cc to M/S. T.Vadivelan, Advocate in SR.No 37059

TS/ 13.07.2015/3P - 4C

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