



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.08.2015

CORAM:
THE HONOURABLE MS.JUSTICE R.MALA

WEB COPY

W.P (MD) No.15011 of 2015

M.Surendran

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Palamedu Police Station,
Madurai District.

3. The Sub-Inspector of Police,
Palamedu Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus to call for the entire records pertaining to the proceedings of the third respondent in Na.Ka.No.05/Pa.Ka.Ni/Ma.Maa/2015 dated 15.08.2015 and quash the same, consequently, directing the respondents to permit them to conduct the Kabadi Event on the eve of second memorial Day of Kabadi Player Prem to be held on 29.08.2015 and 30.08.2015 at Muduvarpatti Village, Vadipatti Taluk, Madurai District.

For Petitioner : Mr.R.Aravind Raj
For Respondents : Mr.D.Muruganandam
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified Mandamus to call for the entire records pertaining to the proceedings of the third respondent in Na.Ka.No.05/Pa.Ka.Ni/Ma.Maa/2015 dated 15.08.2015 and quash the same and consequently, direct the respondents to permit them to conduct the Kabadi Event on the eve of Second Memorial Day of Kabadi Player Prem to be held on 29.08.2015 and 30.08.2015 at Muduvarpatti Village, Vadipatti Taluk, Madurai District.

<https://mcservices.ecourts.gov.in/mcservices/>

2. Heard the learned counsel appearing for the petitioner and the

learned Additional Government Pleader appearing for the respondents.

3. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament from 29.08.2015 at 8.00 p.m., to 30.08.2015 at 06.00 a.m. In this connection, a representation was given to the respondent police, with a request to grant permission to conduct the tournament on the above said date, however, the respondent police has rejected the request of the petitioner by an impugned order dated 15.08.2015 and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Kabadi is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such tournament.

5. Having considered the facts and circumstances of the case, the reason assigned for rejecting the permission is unsustainable and hence, the impugned order dated 15.08.2015 is set aside.

6. Considering the rival submissions made on either side, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct "Kabadi Tournament" in connection with the above said festival.

7. Accordingly, the Writ Petition is allowed with the following directions:

(i) The Kabadi tournament at Muduvarpatti Village, Vadipatti Taluk, Madurai District be held from 29.08.2015 at 8.00 p.m. to 30.08.2015 at 6.00 a.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 tranquility.

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.

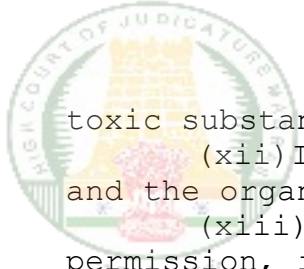
vii) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

(viii) No flex boards in support of any political party or religious leader be erected.

(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 respondent concerned is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar - Cr1 Side

/True Copy/

Sub Assistant Registrar

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To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Palamedu Police Station,
Madurai District.

3. The Sub-Inspector of Police,
Palamedu Police Station,
Madurai District.

1CC TO MR. R. ARAVIND RAJ, ADV SR: 48271

1CC TO THE SPL GP SR: 48459

RG 27 8 15 - 3P 6C

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