



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.09.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA
W.P(MD)No.15725 of 2015

WEB COPY

T.Praveenkumar

: Petitioner

Vs.

The Inspector of Police,
Alanganallur Police Station,
Alanganallur,
Madurai District.

: Respondent

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 records relating to the impugned order dated 17.08.2015 passed by the respondent and quash the same and consequently directing the respondent to grant permission and to provide police protection to conduct the Kabadi competition on 5.9.2015 and 6.9.2015 at A.Pudupatti Village, Alanganallur(via), Vadipatti Taluk, Madurai District and pass such other or further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.D.Rameshkumar
For Respondent : Mr.N.Manoharan,
Special Government Pleader

O R D E R

Mr.N.Manoharan, learned Special Government Pleader, takes notice for the Respondent. By consent, the Writ Petition itself is taken up for final disposal.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the Respondent.

3. The present Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent dated 17.08.2015 and quash the same as illegal, and consequently, direct the respondent to permit the petitioner to perform Kabadi competition on 05.09.2015 and 06.09.2015 between 07.00 p.m, and 12.00 p.m at A.Pudupatti Vilalge, Alanganallur(Via), Vadipatti Taluk, Madurai District.

4. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi Competition on 05.09.2015 and 06.09.2015. In this connection, a representation was given to the respondent police, with a request to grant permission to conduct the programme on the above said date, however, the respondent Police has rejected the request of the petitioner, by impugned order dated 17.08.2015 and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the



petitioner would further submit that as the said competition is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

5. The learned Special 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 programme.

6. The learned counsel for the petitioner submitted that the reason assigned by the respondent for rejection is that there shall be agitation. But it is not the reason. They want to conduct Kabadi only for memory of (late) A.P. Selvarasu PET and one (late) P. Thangasamy.

7. Having considered the facts and circumstances of the case, the reason assigned for rejecting the permission is unsustainable and hence, the impugned order dated 17.08.2015 is set aside.

8. 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 Competition".

9. Accordingly, the Writ Petition is disposed of with the following directions:

(i) The Kabadi tournament at A. Pudupatti Village, Alanganallur (via), Vadipatti Taluk, Madurai District be held from 10p.m on 05.09.2015 to 6.30 am on 06.09.2015.

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.

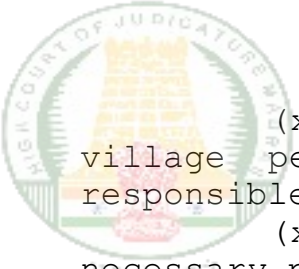
vii) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

(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.

(xiv) The Referee must be authorized person from the District Association.

No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,
Alanganallur Police Station,
Alanganallur,
Madurai District.

+1cc to Mr.D.Rameshkumar, Advocate Sr NO.50649

Order made in

W.P (MD) No.15725 of 2015

Dated:- 01.09.2015

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