



I.Selvakumar
WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2015

CORAM:

THE HONOURABLE Ms.JUSTICE R.MALA

W.P.(MD)No.18418 of 2015

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.

2.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar 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 pertaining to the respondents letter dated 28.09.2015, quash the same as illegal and consequently, direct the respondent to permit the petitioner to conduct Kabadi Match which is scheduled to be held on 24.10.2015 and 25.10.2015 and to provide adequate police protection.

For Petitioner : Mr.M.Karunanithi

For Respondents : Mr.N.Manoharan, Spl.G.P.

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 records pertaining to the respondents letter dated 28.09.2015, quash the same as illegal and consequently, direct the respondent to permit the petitioner to conduct Kabadi Match which is scheduled to be held on 24.10.2015 and 25.10.2015 during Arulmigu Sri Pathirakaliyamman Puratchi Pongal Temple festival and to provide adequate police protection.

2.Heard the learned counsel appearing for the petitioner and the learned Special 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 on 24.10.2015. 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 respondents by the above said impugned letter has rejected the request of the petitioner 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 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 tournament.

5. Having considered the facts and circumstances of the case, the reason assigned for rejecting the permission is unsustainable and hence, the impugned letter 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 on 24.10.2015 in connection with the above said Temple festival.

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

(i) The Kabadi tournament during the above said temple festival be held from 24.10.2015 at 6.00 pm to 25.10.2015 at 6.00 am.

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.

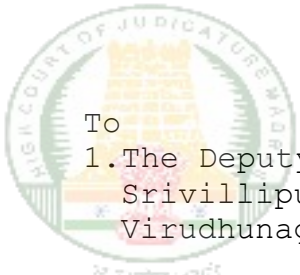
(xiv) The Referee must be authorized person from the District Association.

No costs.

Sd/-

The Assistant Registrar (Per. Admn)

/True copy/



To

1.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.

2.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.

+1cc to Mr.M.Karunanithi, Advocate SR.No.60267

+1cc to special Government Pleader SR.No.60129

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