



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2015

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition (MD) No.5770 of 2015

S.Prathab

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Alangulam,
Tirunelveli District.

3.The Inspector of Police,
Pavoorchatram Police Station,
Tirunelveli District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct the Kabadi Competition and to give adequate police protection in District Level Scheduled on 19.04.2015 at Senthamil Kabadi Kuzhu at Sivakamipuram, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation, dated 08.04.2015 and pass such further or other orders.

For Petitioner : Mr.G.Karnan

For Respondents : Mr.R.Karthikeyan

Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission to conduct the Kabadi Competition and to give adequate police protection in District Level Scheduled on 19.04.2015 at Senthamil Kabadi Kuzhu at Sivakamipuram, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation, dated 08.04.2015.

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 submitted that the petitioner, being a resident of Sivakamipuram Village is regularly conducting Kabadi competition in District level by allowing competent Kabadi players all over the State on the eve of celebrating the festival of Kottaikaruppasamy Temple.



4. Mr.R.Karthikeyan, learned Additional Government Pleader appearing for the respondents, on instructions, would submit that there is a likelihood of law and order problem and hence, permission sought for by the petitioner may be granted with stringent conditions to conduct the same.

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5. In view of the said submission, mere likelihood of law and order problem itself cannot be a ground for rejecting the permission, as sought for by the petitioner and the third respondent has to take adequate steps to control law and order problem and accordingly, this Court is inclined to allow the Writ Petition 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 third 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 19.04.2015.

(vi) The third 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.

7. The Writ Petition is disposed of with the above directions. No costs.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To
1.The Superintendent of Police, Tirunelveli District, Tirunelveli.
2.The Deputy Superintendent of Police, Alangulam, Tirunelveli District.
3.The Inspector of Police, Pavoorchatram Police Station,
Tirunelveli District.
+lcc to M/S.G.Karnan, Advocate in SR.No. 19027

TS/17.04.2015/2P-5C

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W.P (MD) No.5770 of 2015
16.04.2015