



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD)No.6261 of 2015

A.R.Nirmal Raj

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Y.Othakadai Police Station,
Y.Othakadai,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent to grant necessary permission to conduct the Kabadi Tournament at Mariamman Kovil Thidal, Narasingam Road, Y.Othakadai, Madurai on 23rd and 24th of May 2015 and also to provide necessary police protection on the basis of petitioner's representation dated 13.04.2015.

For Petitioner : Mr.R.Manickaraj

For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

This writ petition has been filed under Article 226 of Constitution of India, seeking for issuance of a Writ of Mandamus, to direct the second respondent to grant necessary permission to conduct the Kabadi Tournament at Mariamman Kovil Thidal, Narasingam Road, Y.Othakadai, Madurai, on 23rd and 24th of May 2015 and also to provide necessary police protection on the basis of petitioner's representation dated 13.04.2015.

3. Heard the learned Additional Government Pleader and the learned counsel for the petitioner and perused the materials available on record.

4. Learned counsel for the petitioner would submit that the petitioner is the President of Village Youth Kabdai Club, Y.Othakadai, Madurai. He further submitted that the above said club is affiliated to Tamil Nadu State Amateur Kabadi Association, Tiruppur and also Madurai Amateur Kabadi Association and every year they have conducted the Kabadi Tournament in a peaceful manner and this year they have decided to conduct the "Kabadi Tournament" on 23.05.2015 and 24.05.2015 at



"Mariamman Kovil Thidal", Narasingam Road, Y.Othakadai, Madurai. In this connection, a representation was given on 13.04.2015 to the respondents, with a request to grant permission to conduct "Kabadi Tournament" on 23.05.2015 and 24.05.2015 at "Mariamman Kovil Thidal", Narasingam Road, Y.Othakadai, Madurai, however no order was passed by the respondents on the said representation and hence the petitioner is before this Court with this Writ Petition. The learned counsel undertakes that the petitioner would not give any political colour to the Kabadi Tournament, scheduled to be held on 23.05.2015 and 24.05.2015 and the petitioner is prepared to abide by any conditions to be imposed by the respondents, if the respondents grant permission for conducting Kabadi Tournament. The undertaking given by the learned counsel for the petitioner is recorded.

5. Learned Additional Government Pleader appearing for the respondents, on instructions from the respondents, would submit that he has no serious objection for granting permission to the petitioner to conduct Kabadi match and therefore, permission may be granted with certain conditions.

6. 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 and community, this Court finds no impediment to grant permission to conduct "Kabadi Tournament" on 23.05.2015 and 24.05.2015 at "Mariamman Kovil Thidal", Narasingam Road, Y.Othakadai, Madurai, the second respondent is directed to give permission to the petitioner to conduct "Kabadi Game" event, subject to the following conditions:-

- a) The petitioner shall ensure that the Kabadi Game should not spill over beyond the stipulated time;
- b) The petitioner and other participants should not raise any slogan about the party or party leader;
- c) The petitioner shall ensure that there will not be any untoward incident, causing disturbance to the public peace and tranquility;
- d) The petitioner shall also ensure for proper first-aid arrangements, by keeping one or two doctors at the venue.
- e) The participants of Kabadi Game shall not wear any dress showing the slogan or picture of any communal/political leader; and
- f) The petitioner shall ensure that there should not be any flex 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.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/



To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Y.Othakadai Police Station,
Y.Othakadai,
Madurai.

+1cc to Mr.R.Manickaraj,Advocate, SR.No.20900
+1cc to Special Govt.Pleader SR.No.21317

W.P (MD) No.6261 of 2015
22.4.2015

pjl/avk
PA/27.04.2015/P3/5C (IT)