



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2015

CORAM:

THE HONOURABLE MR.JUSTICE V.S.RAVI

W.P(MD)No.8223 of 2015

P.Govindaraj

... Petitioner

Vs.

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

2. The Sub-Inspector of Police,
Vanniamatti Police Station,
Virudhunagar District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of the second respondent in pursuance of the order dated 10.05.2015 and quash the same and further directing the second respondent to grant permission and protection to conduct the Kabbadi tournament scheduled on 30.05.2015 and 31.05.2015 between 10.00P.M. And 6.00A.M. At V.N.U.P.Kaleeswari Higher Secondary School Grounds, Vanniamatti Village, Srivilliputhur Taluk, Virudhunagar District by considering the petitioners representation dated 10.05.2015 to the second respondent.

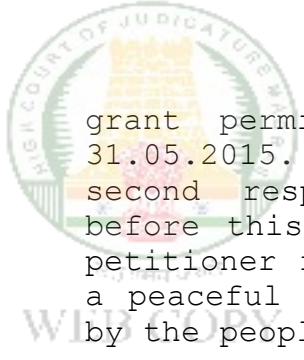
For Petitioner	: Mr.P.Santhoshkumar
For Respondents	: Mr.R.Raja Karthikeyan Additional Government Pleader assisted by Mr.A.P.Balasubramani Government Advocate(Crl.Side)

ORDER

This writ petition has been filed seeking for issuance of writ of Certiorarified mandamus, directing to call for the records of the second respondent in pursuance of the order dated 10.05.2015 and quash the same and further directing the second respondent to grant permission and protection to conduct the Kabbadi tournament scheduled on 30.05.2015 and 31.05.2015 between 10.00P.M. And 6.00A.M. At V.N.U.P.Kaleeswari Higher Secondary School Grounds, Vanniamatti Village, Srivilliputhur Taluk, Virudhunagar District by considering the petitioners representation dated 10.05.2015 to the second respondent.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondents and also perused the materials on record.

3.Learned counsel for the petitioner would submit that the petitioner is the Kabbadi player of Vanniyampatti village and every year Kabbadi tournament is being conducted by the villagers and this year also, the villagers jointly decided to conduct the 'Kabbadi tournament' on 30.05.2015 and 31.05.2015. In this connection, a representation has been given on 10.05.2015 to the second respondent, with a request to



grant permission to conduct 'Kabbadi tournament' on 30.05.2015 and 31.05.2015. However, an order dated 10.05.2015 has been passed by the second respondent on the said representation and hence the petitioner is before this Court with this writ petition. The learned counsel for the petitioner further submitted that as the temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4.Mr.A.P.Balasubramani, learned Government Advocate 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.

5.Further, it is also brought to the information of this Court that already the Hon'ble Division Bench in W.P.No.4831 of 2015 in the case of Muthupandi Vs. Deputy Superintendent of Police, Madurai District, Madurai by order dated 01.04.2015 has granted permission for conducting cultural programme relating to the temple festival with conditions and also in W.P.(MD)No.6207 of 2015 by order dated 23.04.2015 in the case of Karuppaiya Vs. Superintendent of Police, Pudukottai District and in the case of Saravanan Vs. Superintendent of Police, Dindigul District in W.P.No.9305 of 2014 by order dated 16.06.2014, this Court has passed an order granting permission for the cultural event with conditions. Accordingly, it has been requested that appropriate orders may be passed in the present case also following the above said judgments of this Court.

6.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents, this Court is of the view that the impugned order dated 10.05.2015 passed by the second respondent is set aside and necessary permission shall be granted to the petitioner and his villagers to conduct 'Kabbadi Tournament' at V.N.U.P.Kaleeswari Higher Secondary School Grounds, Vanniampatti Village, Srivilliputhur Taluk, Virudhunagar District on 30.05.2015 and 31.05.2015 between 4.00 p.m. To 10.30 p.m., however, with the following conditions.

7.Accordingly, the writ petition is disposed of with the following directions:-

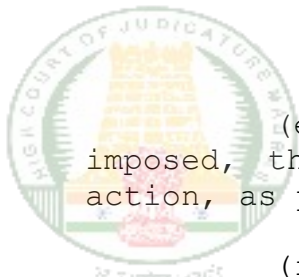
(a)The Kabbadi Tournament at V.N.U.P.Kaleeswari Higher Secondary School Grounds, Vanniampatti Village, Srivilliputhur Taluk, Virudhunagar District festival will be held on 30.05.2015 and 31.05.2015 between 4.00 p.m. and 10.30 p.m.

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

(c)The Kabbadi Tournament should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(d)The Kabbadi Tournament should be conducted in a lawful and peaceful manner, and also with decency.

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(e) 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; and

(f) Similarly, the police is entitled to stop the tournament, if it exceeds beyond the permitted time.

(g) The second respondent is directed to issue necessary permission, incorporating the above conditions.

No order as to costs.

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub- Assistant Registrar

To

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

2. The Sub-Inspector of Police,
Vanniampatti Police Station,
Virudhunagar District.

+1cc to M/s.P.Santhoshkumar, Advocate in SR.No. 25762

pmu

Sm:22.05.2015:3P/4C

W.P (MD) No.8223 of 2015
20.05.2015