



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.05.2015
CORAM:

THE HONOURABLE Ms.JUSTICE V.M.VELUMANI

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W.P (MD) No.8607 of 2015

P.Kanimuthukumaran

... Petitioner

Vs.

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

2. The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 22.05.2015 and to direct the respondents to permit the petitioner to conduct the Kabadi Match which is scheduled to be held on 29.05.2015, 30.05.2015 and 31.05.2015 at Sivanthipatti Nadar Uravinmurai Higher Secondary School, Mamsapuram, Virudhunagar District to provide adequate police protection.

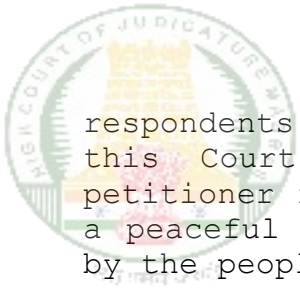
For Petitioner	: Mr.M.Karunanithi for M/s. K.J.Associates
For Respondents	: Mr.M.Murugan Government Advocate

ORDER

This writ petition has been filed seeking for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 22.05.2015 and to direct the respondents to permit the petitioner to conduct the Kabadi Match which is scheduled to be held on 29.05.2015, 30.05.2015 and 31.05.2015 at Sivanthipatti Nadar Uravinmurai Higher Secondary School, Mamsapuram, Virudhunagar District to provide adequate police protection.

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

3.Learned counsel for the petitioner would submit that the petitioner is the Secretary, Virudhunagar District Amateur Kabaddi Association, Virudhunagar District and every year Kabbadi tournament is being conducted by the villagers and this year also, the villagers jointly decided to conduct the 'Kabbadi Match' on 31.05.2015. In this connection, a representation has been given on 22.05.2015 to the respondents, with a request to grant permission to conduct 'Kabbadi Match' on 31.05.2015. However, no order has been passed by the



respondents 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.

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4.Mr.M.Murugan, 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 necessary permission shall be granted to the petitioner and his villagers to conduct 'Kabbadi Match' at Sivanthipatti Nadar Uravinmurai Higher Secondary School, Mamsapuram, Virudhunagar District on 31.05.2015 between 6.00 a.m. to 11.00 p.m., however, with the following conditions.

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

(a)The Kabbadi Match at Sivanthipatti Nadar Uravinmurai Higher Secondary School, Mamsapuram, Virudhunagar District festival will be held on 31.05.2015 between 6.00 a.m. to 11.00 p.m.,

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

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

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

(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(Per.Admn)

\\True copy\\

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.
2. The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.

+1cc TO M/S.K.J.ASSOCIATES ADVOCATE SR.NO.26440

+1cc TO THE SPECIAL GOVERNMENT PLEADER SR.NO. 26497

W.P (MD) No.8607 of 2015
27.05.2015

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