



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.06.2015
CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.9242 of 2015

S.Malaikannan

... Petitioner

Vs.

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

2.The Inspector of Police,
Othakkadai Police Station,
Othakkadai, Madurai 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 respondent police to give permission to conduct Kabaadi Competition and to use the sound amplifier at the time of conducting Kabaadi competition scheduled to be held from 27.06.2015 to 29.06.2015 till 11 a.m. at the ground in front of Mariamman Temple, Othakkadai, Madurai District.

For Petitioner : Mr.T.Murugan

For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to give permission to conduct Kabaadi Competition and to use the sound amplifier at the time of conducting Kabaadi competition scheduled to be held from 27.06.2015 to 29.06.2015 till 11 a.m. at the ground in front of Mariamman Temple, Othakkadai, Madurai District.

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 Othakkadai, Madurai District and he is the President of All India Youth Federation, which is a youth wing of Communist Party of India, is regularly conducting Kabadi competition by allowing competent Kabadi players all over the State.

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.

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 second 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 second 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 from 27.06.2015 from 10.00 p.m to 29.06.2015 at evening 06.00 p.m.

(vi) The second 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(Crl.side)

\\True copy\\

Sub Assistant Registrar

To

1. The Superintendent of Police,

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

2.The Inspector of Police,

Othakkadai Police Station, Othakkadai, Madurai District.

+1cc to MR.T.Murugan, Advocate Sr.No.29947

+1cc to the Spl.Govt.Pleade Sr.No.30499

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pjl

NA/KBM/19/06/2015/P2/5C