



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.12897 of 2017

WEB COPY

S.Palanikumar

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Oomachikulam Police Station,
Madurai District.

... Respondents

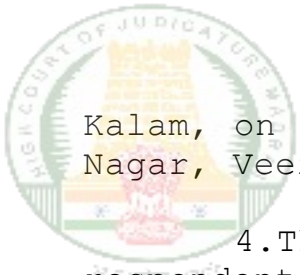
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to grant permission and protection for conducting Cricket Tournament scheduled to be conducted on 15.07.2017 and 16.07.2017 at Sport Ground near Pandi Nagar, Veerapandi Panchayat, Madurai North, Thirumalpuram, Madurai District based on the petitioner's representation to the respondents dated 10.07.2017.

For Petitioner	: Mr.S.R.Anbarasu
For Respondents	: Mr.A.K.Baskara Pandian, Special Government Pleader.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, to direct the respondents to grant permission and protection for conducting Cricket Tournament scheduled to be conducted on 15.07.2017 and 16.07.2017 at Sports Ground near Pandi Nagar, Veerapandi Panchayat, Madurai North, Thirumalpuram, Madurai District based on the petitioner's representation to the respondents dated 10.07.2017.

2. The learned counsel for the petitioner submitted that the petitioner is the leader of Abdul Kalam Cricket Club and that youngsters of the petitioner's village volunteered to conduct Cricket Tournament only to promote the game. It is also stated that they have been conducting the Cricket Tournament for the past two years and 80 cricket teams from various villages were participating in the tournament without any problem. The petitioner stated that this year also they have decided to conduct cricket tournament as second year memorial of Dr.A.P.J.Abdul



Kalam, on 15.07.2017 and 16.07.2017, at sports ground near Pandian Nagar, Veerapandi Panchayat, Tirumalpuram, Madurai.

4. The learned Special Government Pleader appearing for the respondents has produced a communication dated 13.07.2017, before this Court, received from the Sub Inspector of Police, Oomatchikulam police station, Madurai District and expressed his objection in view of the registration of cases in Cr.Nos. 283 of 2015 and 145 of 2016 in relation to the clash between the two groups in connection with temple festival. Though the criminal cases were registered and pending and the same is not with reference to the said sports event, the learned Special Government Pleader has serious objection for granting permission and police protection for conducting cricket tournament.

5. This Court is normally expected to go by the statement given by the respondent police, as the respondents are ultimately responsible for maintaining law and order. However the two incidents and registration of criminal cases are not relating to any sport events. This Court is not inclined to accept the reason stated by the learned Special Government Pleader.

6. The petitioner has stated that more than 100 youngsters volunteered to conduct cricket matches with a participants of 80 cricket teams in various villages. In the said circumstances there should be very attempt to encourage sports events especially when the villagers and youngsters have volunteered without involving public money. In view of of the same, this Court is inclined to pass the following order:

"The second respondent is directed to grant permission and police protection for conducting cricket matches scheduled to be conducted on 15.07.2017 and 16.07.2017 at Sports Ground, near Pandi Nagar, Veerapandi Panchayat, Madurai North, Thirumalpuram, Madurai District, subject to the following condition and any reasonable restrictions that are required for maintaining public order and communal harmony. Since, huge space is required for organizing Cricket Matches, the petitioner is directed to identify the place and give proof that no one has any objection or dispute for conducting the Cricket Matches at the place mentioned by the petitioner.

7. Accordingly, the Writ Petition is disposed of with the following directions:

(i) *The Cricket tournament at Sports Ground, near Pandi Nagar, Veerapandi Panchayat, Madurai North, Thirumalpuram, Madurai District, scheduled to be held on 15.07.2017 and 16.07.2017 shall be conducted in a peaceful manner.*

<https://hcservices.ecourts.gov.in/hcservices/>) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.



iii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.

iv) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue.

v) The participants of Cricket tournament shall not wear any form of dress showing offending slogans or picture of any communal/political leader which may cause disturbance.

vi) Songs praising communal leader or having communal overtones should not be played.

vii) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

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

(ix) 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;

(x) Similarly, the Police is empowered to stop the Cricket tournament, if it exceeds beyond the permitted time.

(xi) The participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

(xii) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

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

(xiv) The Referee must be authorized person from the District Association. No costs.

Sd/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. The Superintendent of Police, Madurai District.

2. The Inspector of Police,
Oomachikulam Police Station, Madurai District.

+1 CC TO MR.S.R.ANBARASU, ADVOCATE, SR NO.65198

cmr/dss

MAS/SKN-RSK/SAR1:14.07.2017:3P-4C

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