



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.15870 of 2017

WEB COPY

S.Sivamani

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the respondent dated 20.08.2017 quash the same and consequently direct the respondent to permit the petitioner to conduct Cricket Event on 26.08.2017 and 27.08.2017 at Ayyanarpuram, Madurai.

For Petitioner : Mr.C.Thamodharakannan
For Respondent : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the respondent dated 20.08.2017 quash the same and consequently direct the respondent to permit the petitioner to conduct Cricket Event on 26.08.2017 and 27.08.2017 at Ayyanarpuram, Madurai.

2. Heard, the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3.The learned counsel for the petitioner submitted that the petitioner and his team decided to conduct Cricket Tournament on 26.08.2017 and 27.08.2017 at Ayyanarpuram Madurai. He further submitted that the Cricket Tournament is at the village level and this is purely to promote sports. In this connection, a representation was given to the respondent on 20.08.2017, with a request to grant permission for conducting the Cricket Tournament in the above said dates. However, the respondent has rejected the representation of the petitioner, by the impugned order dated 20.08.2017, on the grounds that the petitioner has conducted the tournament for the first time and that during the period, viz., 26.08.2017 and 27.08.2017, already the respondent have deputed several police personals in connection with the Vinayagar Chaturthi Festival, in various temples.



4.The first reason does not appear to be sound and permission cannot be denied on the ground that the petitioner conducted the tournament for the first time. With regard to the second ground, the learned counsel for the petitioner has submitted that the petitioner is willing to postpone the event, namely, from 26.08.2017 and 27.08.2017 to **02.09.2017 and 03.09.2017.**

5.The learned Special Government Pleader, on instructions, submitted that the respondent police cannot have any serious objections for giving permission and police protection for the tournament on 02.09.2017 and 03.09.2017.

6.In such circumstances, this Writ Petition is allowed and the impugned order passed by the respondent police, dated 20.08.2017, is quashed and the respondent is directed to consider the petitioner's representation dated 20.08.2017 and give permission and police protection for the conduct of the Cricket Tournament, at Ayyanarpuram Village, Madurai, on 02.09.2017 and 03.09.2017, subject to the following conditions:

(i) *The Cricket tournament at Ayyanarpuram Village, Madurai,, scheduled to be held on 02.09.2017 and 03.09.2017, shall be conducted in a peaceful manner.*

ii) *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 (CO)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to M/S.C.THAMODHARAKANNAN, Advocate SR.No.74405

+1cc to Special Government Pleader, SR.No.74658

ls/mm

MAS/KK/SAR1:01.09.2017:3P-4C

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