



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.22394 of 2017

WEB COPY

Lingadurai

... Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
Thesaiyanvilai Police Station,
Thesaiyanvilai,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to grant permission to conduct Cricket Tournament scheduled to be held 22.12.2017 to 24.12.2017 (10 a.m to 6 p.m) at Pudur Village, Ettavazhi, (Post), Nanguneri Taluk, Tirunelveli District and to give necessary police protection to the said Cricket Tournament by considering my representation dated 28.11.2017.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.D.Muruganantham

Additional 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 22.12.2017 to 24.12.2017 (10 a.m to 6 p.m) at Pudur Village, Ettavazhi, (Post), Nanguneri Taluk, Tirunelveli District based on the petitioner's representation to the respondents dated 28.11.2017.

2. The learned counsel for the petitioner submitted that the petitioner is one of the committee members of the sports committee and that youngsters of the petitioner's village volunteered to conduct Cricket Tournament every year. It is also stated that they have been conducting the Cricket Tournament every year and large number of team members were participating from the various villages in the tournament without any problem. The petitioner stated that this year also they have decided to conduct cricket tournament on 22.12.2017 and 24.12.2017 at Pudur Village, Ettavazhi, (Post), Nanguneri Taluk, Tirunelveli District.



3. The learned Special Government Pleader appearing for the respondents has produced a communication dated 28.11.2017, before this Court, received from the The Inspector of Police, Thesaiyanvilai Police Station, Tirunelveli District and expressed his objection but did not give reason for not granting permission to the cricket tournament. The learned Special Government Pleader has serious objection for granting permission and police protection for conducting cricket tournament.

4. 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. But in this case, the Court is not inclined to accept the objection raised by the learned Special Government Pleader without reason.

5. The petitioner has stated that large number of youngsters volunteered to conduct cricket matches with a participants of more cricket teams in various villages. In the said circumstances there should be a 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 22.12.2017 and 24.12.2017 at Pudur Village, Ettavazhi, (Post), Nanguneri Taluk, Tirunelveli District, subject to the following condition and any reasonable restrictions that are required for maintaining public order and communal harmony.

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

(i) The Cricket tournament at Pudur Village, Ettavazhi, (Post), Nanguneri Taluk, Tirunelveli District, scheduled to be held on 22.12.2017 and 24.12.2017 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

1. The Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Thesaiyanvilai Police Station,
Thesaiyanvilai,
Tirunelveli District.

+1cc to Mr.V.Angusamy, Advocate Sr.No.91725

+1cc to The Spl.Government Pleader Sr.No.91680

DSS/DAS

VB/VB/SV/MMS/SAR1/19/12/2017/3P/5C