



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD)No.23623 of 2017

J.Krishnakumar

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
O/o The Deputy Superintendent of Police,
Puliankudi,
Tirunelveli District.

2.The Sub Inspector of Police,
Sernthamaram Police Station,
Kadaiyanallur Taluk,
Trinelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent grant permission to conduct Volley Ball in Taluk Level which has been scheduled on 11.01.2018 and 12.01.2018, at Arunachalapuram Village, Kadaiyanallur Taluk, Tirunelveli District, by considering the petitioner's representation, dated 08.12.2017.

For Petitioner : Mr.V.Muthuvelan

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader.

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, directing the first respondent to grant permission to conduct Volley Ball Tournament in Taluk Level scheduled to be held on 11.01.2018 and 12.01.2018, at Arunachalapuram Village, Kadaiyanallur Taluk, Tirunelveli District, by considering the petitioner's representation, dated 08.12.2017.



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 villagers jointly decided to conduct Volley Ball Tournament in Taluk Level on 11.01.2018 and 12.01.2018, at Arunachalapuram Village, Kadaiyanallur Taluk, Tirunelveli District. In this connection, a representation was given to the respondents on 08.12.2017, with a request to grant permission to conduct the tournament on the above said dates, however, the respondents have not considered the request of the petitioner and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Volley Ball Tournament in Taluk Level is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that this Court may grant permission for conducting the Volley Ball Tournament in Taluk Level, subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/The Sub Inspector of Police, Sernthamaram Police Station, Kadaiyanallur Taluk, Tirunelveli District, is directed to consider the representation of the petitioner, dated 08.12.2017 and to give permission and to provide police protection for conducting Volley Ball Tournament in Taluk Level scheduled to be held on 11.01.2018 and 12.01.2018, at Arunachalapuram Village, Kadaiyanallur Taluk, Tirunelveli District, subject to the following conditions:-



i) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

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

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

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

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

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

vii) There should not be any Flex Boards representing any community or political leaders;

viii) 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;

ix) Similarly, the Police is empowered to stop the Volley Ball tournament, if it exceeds beyond the permitted time.

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

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

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

xiii) The Referee must be authorized person from the District Association.



6. The second respondent is at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity so as to maintain law and order and communal harmony. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
O/o The Deputy Superintendent of Police,
Puliankudi,
Tirunelveli District.

2.The Sub Inspector of Police,
Sernthamaram Police Station,
Kadaiyanallur Taluk,
Tirunelveli District.

+1cc to M/S.V.MUTHUVELAN, Advocate SR.No.94505.
+1cc to Special Government Pleader in SR.No.94814.

W.P. (MD) No.23623 of 2017
21.12.2017

pmu
SDS/JC/SAR 3/27.12.2017/4P/5C