



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.21828 of 2018

J.Susai Mariyan

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District, at Nagercoil.

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to grant permission to perform the "Sports events and Prize distribution for children" on 06.11.2018 night at about 07.00 AM to 09.00 PM at Meenakshi Nagar, Irulappapuram, Agasteeswaram Taluk, Vadiveeswaram Village, Kottar-629002, Kanyakumari District and to provide adequate police protection based on the petitioner's representation dated 17.10.2018.

For Petitioner : Mr.S.R.Anbarasu
For Respondents : Mr.B.Bhagawathi,
Government Advocate.

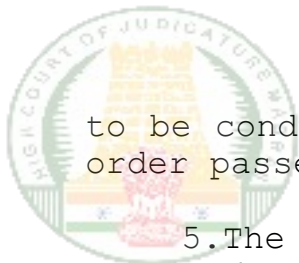
ORDER

This writ petition has been filed, directing the respondents to grant permission to perform the "Sports events and Prize distribution for children" on 06.11.2018 night at about 07.00 AM to 09.00 PM at Meenakshi Nagar, Irulappapuram, Agasteeswaram Taluk, Vadiveeswaram Village, Kottar-629002, Kanyakumari District and to provide adequate police protection based on the petitioner's representation dated 17.10.2018.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The learned Government Advocate appearing for the respondents submits that the police does not have any reservations on the place, where the tournament is to be conducted. However, there is an apprehension that some law and order problem may arise during the tournament.

4.The very same association had approached this Court to conduct the programme during the year 2017. This Court, by order dated 22.09.2017 in W.P.(MD)No.18023 of 2017, allowed the programme



to be conducted. The programme was also conducted, pursuant to the order passed by this Court.

5. The respondents police are directed to grant permission for conducting the programme by enclosing 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 programme 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 Kabadi tournament, if it exceeds beyond the permitted time;

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

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

xii) The Referee must be authorized person from the District Association; and

xiii) 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.

6.The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the programme.

7.The writ petition stands disposed of with the above directions. However, there shall be no order as to costs.

Sd/

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS-IV)

To

1.The Superintendent of Police,
Kanyakumari District, at Nagercoil.

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.

+1cc to Mr.S.SURESHKUMAR, Advocate, SR.No.91963

+1cc to M/s.Special Government Pleader,SR.No.92253

W.P. (MD) No.21828 of 2018
25.10.2018

MYR

KK/SV/SAR-4/30.10.2018/3P-5C