



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2015

CORAM:  
THE HONOURABLE MS.JUSTICE R.MALA

W.P (MD) No.19842 of 2015

Rathakrishnan : Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Seithur Range,  
Viruthunagar District.

2.The Inspector of Police,  
Seithur Police Station,  
Virudhunagar District.

3.The Sub Inspector of Police,  
Seithur Rural Police Station,  
Virudhunagr District.

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records connected with impugned order on the file of the respondent No.3, dated 26.10.2015 and quash the same as illegal, consequently, to direct the respondents to grant permission to conduct 14<sup>th</sup> year District Level Kabadi competitions conducted by Krishnapuram Sivanthi Sports club on 07.11.2015 and 08.11.2015 or any other earliest date at Kamarajar Park Ground, Krishnapuram Virudhunagar District.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.D.Muruganandham

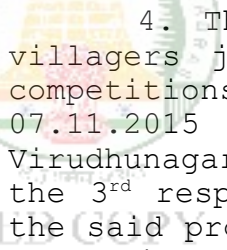
Additional Government Pleader

O R D E R

Mr.D.Muruganandham, learned Additional Government Pleader, takes notice for the Respondent. By consent, the Writ Petition itself is taken up for final disposal.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the Respondent.

3. The present Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records connected with impugned order on the file of the respondent No.3, dated 26.10.2015 and quash the same as illegal, consequently, to direct the respondents to grant permission to conduct 14<sup>th</sup> year District Level Kabadi competitions conducted by Krishnapuram Sivanthi Sports club on 07.11.2015 and 08.11.2015 or any other earliest date at Kamarajar Park Ground, Krishnapuram Virudhunagar District.



4. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct 14<sup>th</sup> year District Level Kabadi competitions, conducted by Krishnapuram Sivanthi Sports club on 07.11.2015 and 08.11.2015 at Kamarajar Park Ground, Krishnapuram Virudhunagar District. In this connection, a representation was given to the 3<sup>rd</sup> respondent police, with a request to grant permission to conduct the said programme on the above said date, however, the respondent Police has rejected the request of the petitioner, by impugned order dated 26.10.2015 and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner would further submit that as the said programme is celebrate in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

6. Having considered the facts and circumstances of the case, the reason assigned for rejecting the permission by the 3<sup>rd</sup> respondent is unsustainable and hence, the impugned order dated 26.10.2015 is set aside.

7. Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct Kabadi tournament on the above said date.

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

(i) The 14<sup>th</sup> year District Level Kabadi competition, conducted by Krishnapuram Sivanthi Sports club at Kamarajar Park Ground, Krishnapuram Virudhunagar District, be held from 07.11.2015 at about 08.00 p.m. to 08.11.2015 at about 08.00 p.m.

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 tranquility.

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

v) The participants of Kabadi 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 Kabadi 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 second respondent 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 Deputy Superintendent of Police,  
Seithur Range,  
Viruthunagar District.

2.The Inspector of Police,  
Seithur Police Station,  
Virudhunagar District.

3.The Sub Inspector of Police,  
Seithur Rural Police Station,  
Virudhunagr District.

+1CC to Mr.R.Alagumani, Advocate, SR.No. 64635

+1CC to The Special Government Pleader SR.No. 64146.

Order made in  
W.P (MD) No.19842 of 2015  
Dated:-  
30.10.2015

AM/03.11.2015/AN.MP/SAR-1/3P/6C