

(2014) 12 MAD CK 0016
In the Madras High Court
Case No : W.P. (MD) No. 20078 of 2014

P. Rajini

APPELLANT

Vs

The Superintendent of Police

RESPONDENT

Date of Decision : 10-12-2014

Acts Referred:

Citation : (2014) 12 MAD CK 0016

Hon'ble Judges : M. Venugopal, J

Bench : Single Bench

Judgement

M. Venugopal, J.—Heard the Learned Counsel for the Petitioner and the Learned Additional Government Pleader appearing for the Respondents.

2. According to the Petitioner, he is the President of the Kabadi Committee in his village and the same is named as "Seven Horse Kabadi Committee". In connection with Doctor Ambedkar Birthday Celebrations, their Committee decided to conduct Kabadi Tournament on 13.12.2014 in their village. They had approached the Second Respondent police seeking necessary permission and also to provide necessary police protection during the said date. But the Second Respondent had not furnished any suitable reply till date and orally refused to grant permission.

3. Per contra, it is the submission of the Learned Additional Government Pleader appearing for the Respondents 1 and 2 at Perugamani Gandhi Nagar, there is no proper space facility for the conduct of Kabadi Tournament and there are more possibilities for cropping up of law and order problem and as such, the representation of the Petitioner is pending as on date.

4. It transpires that this Court in W.P.(MD).No. 14229 of 2013 and M.P.(MD).No. 1 of 2013, dated 26.08.2013, in paragraph No. 5 and 6 had passed the following order.

"5. Considering the facts and circumstances of the case and also considering the

submission of the learned Additional Government Pleader appearing for the respondents, the second respondent police is directed to pass appropriate orders granting permission to the petitioner to conduct the Kabadi Tournament at Perumalkovil Ground, Ayankollankondan Village, Seithur, Virudhunagar District, on 31.08.2013 at 06.00 p.m to 01.09.2013 to 02.00 p.m, subject to the following conditions:

- (i) The petitioner should ensure that sufficient medical facilities are available at the venue;
- (ii) There should not be any kind of play of communal songs praising any communal leaders;
- (iii) There should not be any kind of flex boards or hoardings during the said competition;
- (iv) It is open to the third respondent to impose other reasonable restrictions for the conduct of Kabadi Tournament in public interest and to ensure peace;
- (v) The said Kabadi Tournament should be restricted on 31.08.2013 at 06.00 p.m to 01.09.2013 at 02.00 p.m.,;
- (vi) if there is any violation, the concerned Police Officer is permitted to take necessary action as per law and stop such competition;

6. The Inspector of Police, Seithur Police Station, Seithur, Virudhunagar District, is directed to issue permission incorporating the above conditions positively by 05.00 p.m., on 30.08.2013."

5. In view of the fact that the petitioner is interested to conduct Kabadi Tournament on 13.12.2014 at Perugamani Village, Gandhinagar Mariamman Thidal, Tiruchirappalli, this Court grants him permission to conduct Kabadi Tournament at Perugamani Gandhi Nagar Mariamman Thidal on 13.12.2014 from 06.00 p.m., till next day 6.00 a.m. in the morning, subject to the following conditions:

- i) The petitioner and the Organisers of the Event Committee should ensure that the adequate/requisite medical facilities are available at the venue of "kabadi tournament";
- ii) There should not be any kind of play or recital of communal songs praising any particular communal leader/leaders as the case may be;
- iii) There should not be any kind of flex boards or hoardings during the said tournament;
- iv) The said tournament is permitted to be conducted on 13.12.2014 from 06.00 p.m till next day 06.00 a.m in the morning;
- v) It is open to the second respondent/the Inspector of Police, Pettavithalai Police Station, Trichy District to impose any other reasonable restrictions for the

peaceful and orderly conduct of the kabadi tournament in public interest with a view to ensure public tranquility.

vi) The petitioner shall give an undertaking before the second respondent Police that the tournament in question shall be conducted in an organized and peaceful manner without giving room for any complaint.

vii) The petitioner has to apply for licence before the second respondent/the Inspector of Police, Pettavithalai Police Station, Trichy District for the conduct of the kabadi tournament in question (if the same is legally required) and in this regard, the petitioner/Organizers has to approach the second respondent Police to submit necessary application and on receipt of the said application, the second respondent is directed to accord permission for the orderly conduct of the kabadi tournament in question for the events on 13.12.2014 from 06.00 p.m till next day 06.00 a.m in the morning.

6. It is made clear if the petitioner/Organisers violates/violate any of the conditions imposed by this Court, then the second respondent/the Inspector of Police, Pettavithalai Police Station, Trichy District is without any hesitation is directed to step in and put an end to such tournament.

7. With the aforesaid directions, this writ petition is disposed of. No costs.