
(2014) 12 MAD CK 0163
In the Madras High Court
Case No : Writ Petition No. 19780 of 2014

S. Pandithurai

APPELLANT

Vs

The Superintendent of Police

RESPONDENT

Date of Decision : 05-12-2014

Acts Referred:

Citation : (2014) 12 MAD CK 0163

Hon'ble Judges : M. Venugopal, J

Bench : Single Bench

Judgement

M. Venugopal, J.—Heard both sides.

2. According to the petitioner, he seeks permission from the second respondent for the conduct of kabadi tournament to be held on 06.12.2014 from 08.00 p.m. till the completion of tournament and also prays for police protection in this regard. According to him, with a view to develop sporting skill among the young generation, they have formed a kabadi club in the name of "Manimegalai Memorial Club" in their village i.e. Mayandipatti Village. He is one of the members of the aforesaid club and has been conducting kabadi tournament in their village for the past several years, without any hindrance to any one.

3. This year, they have decided to conduct the said kabadi tournament at Mayandipatti village, Madurai North Taluk at Madurai District at 08.00 p.m. till the end of the tournament, for which, he has submitted a representation, dated 27.11.2014 to the first respondent by registered post with acknowledgment. Moreover, he has submitted the said representation to the second respondent in person. It appears that till date, the permission to conduct kabadi tournament on 06.12.2014 is not granted by the second respondent.

4. In this regard, the learned Additional Government Pleader contends that if the permission to conduct kabadi tournament on 06.12.2014 from 08.00 p.m. is granted, then there is a possibility of cropping up of law and order problem and also there is a further possibility of cropping up of communal problem, since the

village is sensitive one. Therefore, the second respondent has not granted the permission sought for by the petitioner and till date, the application of the petitioner is pending.

5. 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.

6. In view of the fact that the petitioner is desirous to conduct kabadi tournament on 06.12.2014 from 08.00 p.m. till the completion of tournament, at Mayandipatti Village, Madurai North Taluk, Madurai District, this Court grants the petitioner permission to conduct kabadi tournament at Mayandipatti Village, Madurai North Taluk, Madurai District on 06.12.2014 from 08.00 p.m. till next day 06.00 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 06.12.2014 from 08. 00 p.m. till next day 06.00 a.m. in the morning;

v) It is open to the second respondent/Inspector of Police, Y.Othakadai Police Station, Y.Othakadai, Madurai 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/ Inspector of Police, Y.Othakadai Police Station, Y.Othakadai, Madurai 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 06.12.2014 from 08. 00 p.m. till next day 06.00 a.m. in the morning.

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

8. With the aforesaid directions, this writ petition is disposed of. Consequently, connected miscellaneous petitions are also disposed of. No costs.