
(2014) 11 MAD CK 0422
In the Madras High Court
Case No : W.P(MD) No. 18185 of 2014

S. Thangaraja

APPELLANT

Vs

The Superintendent of Police

RESPONDENT

Date of Decision : 12-11-2014

Acts Referred:

Citation : (2014) 11 MAD CK 0422

Hon'ble Judges : M. Venugopal, J

Bench : Single Bench

Judgement

M. Venugopal, J.—Heard both sides.

2. According to the Petitioner, he is the President of "Win Star Kabadi Kuzhu" at Anainthaperumalnadanoor, Alangulam Taluk, Tirunelveli District. In his village, a District level Kabadi Competition is conducted by the persons interested in the sports on yearly basis. Accordingly, he and his villagers have made arrangements to conduct the Kabadi Competition of District Level scheduled on 15.11.2014 and 16.11.2014 on account of Arulmighu Amman Koil Festival.

3. In the affidavit filed by the Petitioner in support of the Writ Petition in para 3, it is averred that he made a representation, dated 30.10.2014 to the Third Respondent, which they had not received the same. As such, he made a written representation to the first respondent by means of registered post on 30.10.2014 seeking permission to conduct Kabadi Competition at District Level scheduled on 15.11.2014 and 16.11.2014 which is pending consideration on the file of the first respondent. Under these circumstances, the Petitioner has filed the present Writ Petition before this Court.

4. Per contra, it is the submission of the learned Additional government Pleader appearing on behalf of the respondents 1 to 3 that the Third Respondent has not received any written representation from the Petitioner concerned in the subject-matter in issue.

5. At this juncture, this Court refers to the order passed by this Court in W.P(MD)No. 14229 of 2013 and M.P(MD)No. 1 of 2013, dated 26.8.2013, whereby and whereunder, it is observed and held as follows:

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 31.8.2013 at 6.00 p.m. To 1.9.2013 to 2.00 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 31.8.2013 at 6.00 p.m. To 1.9.2013 at 2.00 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 5.00 p.m. On 30.8.2013.

6. In view of the fact that the Petitioner is said to be the President of "Win Star Kabadi Kuzhu" at Anainthaperumalnadanoor, Alangulam Taluk, Tirunelveli District and is desirous of conducting the Kabadi Competition at District Level on 15.11.2014 and 16.11.2014 and this Court taking note of the fact that on an earlier occasion, this Court had already granted permission in W.P(MD)No. 14429 of 2013 on 26.8.2013 to the Petitioner therein to conduct the Kabadi Competition subject to the conditions imposed therein, this Court in the present Writ Petition grants permission to the Petitioner to conduct the Kabadi Competition at the District Level to be held on 15.11.2014 and 16.11.2014 at Anainthaperumalnadanoor, Alangulam Taluk, Tirunelveli District subject to the following conditions:

i) The Petitioner should ensure that the adequate/requisite medical facilities are provided or made 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 15.11.2014 and 16.11.2014 between 6.00 p.m. To 2.00 p.m.

v) It is open to the Third Respondent/The Inspector of Police, Alwarkurichi Police Station, Tirunelveli 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 third 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 Third Respondent/The Inspector of Police, Alwarkurichi Police Station, Tirunelveli District for the conduct of the Kabadi Tournament in question(if the same is legally required) and in this regard, the Petitioner/the Organizers has to approach the Third Respondent to submit necessary application and on receipt of the said application, the Third respondent is directed to accord permission for the orderly conduct of the Kabadi tournament in question for the events on 15.11.2014 and 16.11.2014 respectively between 6.00 p.m. To 02.00 a.m.

7. It is made clear if the Petitioner/organizers violates/violate any of the conditions imposed by this Court, then the third respondent/Inspector of Police, Alwarkurichi Police Station, Tirunelveli District is without any hesitation s directed to step in and put an end to such tournament.

8. With the aforesaid directions, this Writ Petition is disposed of. No costs.