
(2014) 11 MAD CK 0483
In the Madras High Court
Case No : Writ Petition MD No. 17985 of 2014

Sekar	Vs	APPELLANT
The Superintendent of Police		RESPONDENT

Date of Decision : 07-11-2014

Acts Referred:

Citation : (2014) 11 MAD CK 0483

Hon'ble Judges : M. Venugopal, J

Bench : Single Bench

Judgement

M. Venugopal

1. By consent of parties, the writ petition itself is taken up for final disposal.
2. According to the Petitioner, in his Village at Ayyapuram, Puliyanakudi Municipality, Tirunelveli District, they used to celebrate "Christmas Festival" in a grand manner. The major population of the Village of the Petitioner belong to "Christian" religion. During the Christmas festival, they used to conduct "Kabadi matches" through their Club and Kabadi matches would entertain the Village people irrespective of any caste and community.
3. It is the specific case of the Petitioner that he is a Member of Ayyapuram Sports Club, Ayyapuram and the said club is functioning for so many years. It appears that the Petitioner has submitted a representation before the Respondents on 15/10/2014 seeking permission and Police protection for conducting "Kabadi Tournament". As on date, the said representation of the Petitioner is still pending and not yet disposed of by the Second Respondent. As such, the Petitioner has filed the present Writ of Mandamus before this Court.
4. Per contra, it is the submission of the Learned Additional Government Pleader for the Respondents that if the permission for conducting "Kabadi Tournament" is granted on 27/12/2014 and 28/12/2014 in connection with "Christmas Festival", then there is a possibility of cropping up of Law & Order problem in the Village

and also in Tirunelveli District, there is a possibility of cropping up of communal problem.

5. This Court has heard the arguments of the Learned Counsel appearing for the Petitioner and the Learned Additional Government Pleader appearing for the Respondents and noticed their contentions.

6. It is to be noted that this Court in W.P.(MD) No. 14229 of 2013 and M.P.(MD) No. 1 of 2013 dated 26/8/2013, in paragraph Nos. 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 31/8/2013 at 06.00 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 06. 00 p.m to 1/9/2013 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 30/8/2013.

7. In view of the fact that the Petitioner has sought for permission and Police protection to conduct "Kabadi Tournament" by the Ayyapuram Sports Club, Ayyapuram, Tirunelveli District which is going to take place on 27/12/2014 and 28/12/2014 between 06.00 p.m and 06.00 a.m., subject to the following conditions.

(i) . The Petitioner and the Organisers of the Event Committee should ensure that sufficient 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 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 27/12/2014 and 28/12/2014 between 06.00 p.m., and 06.00 a.m.

(v) . It is also open to the Second Respondent/Inspector of Police, Puliyanakudi Police Station, Tirunelveli District to impose any other reasonable restrictions for the peaceful and orderly conduct of "Kabadi Tournament" in public interest and to ensure public tranquillity.

(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, Puliyanakudi Police Station, Tirunelveli District for the conduct of "Kabadi Tournament" in question (if the same is legally required) and in this regard, the Petitioner/Organisers 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 27/12/2014 and 28/12/2014 respectively between 06.00 p.m., and 06. 00 a.m.

(viii) . It is made clear that if the Petitioner/organisers violates/violate any of the conditions imposed by this Court, then the Second Respondent/Inspector of Police, Puliyanakudi Police Station, Tirunelveli 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. No costs.