
(2014) 10 MAD CK 0143

Madras High Court (Madurai Bench)

Case No: Writ Petition (MD) No. 17387 of 2014

Shankar Ganesan

APPELLANT

Vs

The Superintendent of Police

RESPONDENT

Date of Decision: Oct. 29, 2014

Hon'ble Judges: M. Venugopal, J

Bench: Single Bench

Judgement

@JUDGMENTTAG-ORDER

M. Venugopal, J.

By consent of parties, the writ petition itself is taken up for final disposal.

2. The Petitioner has sought for permission and Police protection to conduct "Kabadi Tournament" by the Rayal Kings Friends Kabbadi Group, Oothukuli Village, Marunkapuri Taluk, Trichy District which is scheduled to take place on 1/11/2014 and 2/11/2014 between 06.00 p.m., and 06.00 p.m., in connection with "Deepavali festival".

3. According to the Petitioner, he had addressed a detailed representation dated 26/10/2014 to the First Respondent seeking permission and Police protection for effecting "Kabadi Tournament". However, the Second Respondent, who is to grant permission had not granted permission.

4. Per contra, the Learned Additional Government Pleader appearing for the Respondents bring it to the notice of this Court that if permission to conduct "Kabadi tournament sought for by the Petitioner is granted on the date specified by him, then there is a possibility of cropping up of Law & Order 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 transpires 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 Rayal Kings Friends Kabbadi Group at Oothukuli Panchayat Office Play Ground, Oothukuli Village, Marunkapuri Taluk, Trichy District which is going to take place on 1/11/2014 and 2/11/2014 between 06.00 p.m. and 06.00 p.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 1/11/2014 and 2/11/2014 between 06.00 p.m., and 06.00 p.m.

(v). It is also open to the Second Respondent/Inspector of Police, Valanadu Police Station, Trichy District to impose any other reasonable restrictions for the peaceful and orderly conduct of "Kabadi Tournament" in public interest and 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, Valanadu Police Station, Trichy 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 1/11/2014 and 2/11/2014 respectively between 06.00 p.m., and 06.00 p.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, Valanadu Police Station, Trichy 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.