



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.02.2015**

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **B.RAJENDRAN**

W.P. (MD) No.1766 of 2015

A.K.Raghupathi

: Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the second respondent herein to accord necessary permission for conduct of Kabadi Tournament at Keelakuzhikudi Road, Nagamalai Pudukkottai, Madurai District, on 23rd and 24th February 2015, by considering the representation of the petitioner dated 04.02.2015.

For Petitioner : Mr.V.Maharajan

For Respondent/s : Mr.R.Karthikeyan

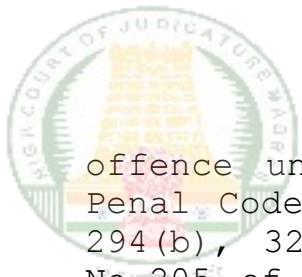
Additional Government Pleader

ORDER

The present Writ Petition has been filed by the President of the Kabadi Tournament Committee, Keelakuzhikudi, stating that he is well acquainted with the facts of the case.

2. According to the petitioner, Kabadi Tournament is being conducted in the said area for the past 11 years, without any hindrance. This year, the petitioner made a representation before the respondents seeking permission and protection to conduct Kabadi Tournament. Since no permission is granted, the petitioner has come up with the present Writ Petition.

3. Today, when the Writ Petition is taken up for Admission, the Inspector of Police, Nagamalai Pudukkottai Police Station, Madurai, the second respondent herein, is present in Court. On instructions, the learned Additional Government Pleader would submit that the petitioner herein is an accused and three cases have been registered against him in Crime No.30 of 2013, for the



offence under Sections, 341, 323, 326 and 506(i) of the Indian Penal Code, Crime No.311 of 2013, for the offence under Sections 294(b), 323, 324 and 506(ii) of the Indian Penal Code and Crime No.205 of 2014, for the offence under Sections 294(b), 448, 427, 353 and 506(ii) of the Indian Penal Code. Apart from the above cases, yet another case of kidnapping is also pending against him. Therefore, the learned Additional Government Pleader would submit that the petitioner herein is not a competent person to hold the Kabadi Tournament and if he is allowed to conduct such an event, it will lead to law and order problem.

4. This Court cannot be a party to grant permission to an accused as if he is a competent person to conduct Kabadi Tournament. Taking into consideration of the above criminal cases registered against the petitioner, this Court is of the view that the apprehension of the respondents is correct that an accused, who is facing criminal prosecution, cannot come to this Court and seek permission to conduct Kabadi Tournament, because there are instances, where under the guise of conducting such Tournament, there were lot of violence has taken place.

5. For the reasons stated above, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai.

+1cc to Spl.Government Pleader Sr.No. 6777

nb

AA/25.02.2015/2p- 4c/

ORDER MADE IN
W.P. (MD) No.1766 of 2015
12.02.2015