

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2016

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P. No.18619 of 2016

and

WMP No.16306 of 2016

P.Muthumani

... Petitioner

vs.

The Inspector of Police
Town Police Station,
Tiruchengode,
Namakkal District.

.... Respondent

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Certiorarified mandamus, to call for the entire records relating to the impugned order passed by the respondent in his proceedings No.Nil, dated 31.05.2016 and quash the same consequently directing the respondent to issue necessary permission to the petitioner for conducting cricket tournaments and put up mike set in Karattupalayam Village for conducting the cricket tournaments from 01.06.2016 to 05.06.2016 for 5 days at Private Patta Land situated in S.No.56 and 57, Karattupalayam Village, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.S.Pattabiraman
Government Advocate

ORDER

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

2 The petitioner claims to be the Kabadi and Cricket player on behalf of the Kabadi Association, encouraging all young players which include school boys to develop their skills by participating in Kabadi and Cricket tournaments which are being conducted every year in Tiruchengode Arthanareeswarar Car festival. The petitioner has done necessary arrangements to conduct cricket tournaments in Tiruchengodu Taluk from

01.06.2016 to 05.06.2016 for five days at a Private Patta land situated in S.No.56 and 57, Karattupalayam Village, Tiruchengode Taluk, Namakkal District. In this regard, he submitted a representation/application dated 28.05.2016 to the respondents, seeking necessary permission, which was rejected on the ground that said land is situated very close to the Tiruchengode to Vellore road and there is a heavy traffic and in the event of permission being granted, it may cause disturbance to the public. The petitioner challenging the legality of the said order, has filed the present Writ Petition.

3. When the matter was listed on 02.06.2016, the learned counsel for the petitioner prayed for time to verify the facts viz., the reasons stated in the impugned order and accordingly the matter is listed today.

4. Mr.C.Prakasam learned counsel for the petitioner on instructions would submit that cricket pitch lies about 400 meters away from Vellore to Tiruchengode road and also far away from the residential areas and only rubber balls are going to be used in the Cricket tournament to be held. Therefore, the reason expressed by the respondent that it may cause hindrance to the public, is solely unsustainable and prays for appropriate orders.

5. Per contra Mr.S.Pattabiraman, learned Government Advocate who accepts notice for the respondent, would submit that the respondent after proper verification has arrived at the conclusion and rejected the request made by the petitioner and prays for the dismissal of the writ petition.

6. This Court considered the rival submissions.

7. The fact remains that the dates on which the Cricket tournament sought to be held are already over.

8. At this juncture, Mr.C.Prakasam, the learned counsel for the petitioner on instructions, submitted that the petitioner may be permitted to give one more representation to the respondent praying for necessary permission to conduct the tournament in the future dates.

9. In the light of the above submissions of the learned counsel for the petitioner, this Court, taking into

consideration, the facts and circumstances, permits the petitioner to submit one more representation/application to the respondent to conduct the cricket tournament to be held on future dates and the respondent, on receipt of the same, is directed to consider the said representation / application in accordance with law within a period of one week from the date of receipt of such representation/application and communicate the decision taken, to the petitioner.

10. The writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Inspector of Police
Town Police Station,
Tiruchengode,
Namakkal District.

+1cc to the Government Pleader Sr.30153
+1cc to Mr.C.Prakasam, Advocate Sr.30311

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W.P. No.18619 of 2016

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srg 10/06/2016

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