



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.1844 of 2017

S.P.Siman

.. Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police,
Alangulam Circle, Alangulam Taluk,
Tirunelveli District.

3.The Inspector of Police,
Alangulam Police Station,
Alangulam, Tirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order of rejection passed by the third respondent by his proceedings 01/INS/H1PS/17 dated 26.01.2017 and to quash the same as illegal and consequently direct the third respondent to grant permission and police protection for the lighting Kabadi Tournament rescheduled on 04.02.2017 (Saturday) at about 07.00 p.m. to 08.00 a.m (next day) or any other subsequent date as convenience date of third respondent in the play ground of M.D.C. Thidal, which is private land at Alangulam Taluk, Tirunelveli District.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.D.Muruganandam,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the order dated 26.01.2017 passed by the third respondent and quash the same and also for directing the third respondent to grant permission for conducting Kabadi Tournament, by way of issuing a writ of certiorarified mandamus.

2.It is averred in the petition that for getting necessary permission to conduct Kabadi Tournament in the place mentioned in the petition, a representation has been given to the respondents. But the third respondent by his proceedings in No.01/INS/H1PS/17 dated 26.01.2017 has rejected the same mainly on the ground of law and order problem. The reason given by the third respondent is



totally erroneous. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3.The learned counsel appearing for the petitioner has advanced his argument on the basis of averments made in the writ petition.

4.The learned Additional Government Pleader appearing for the respondents has contended to the effect that on 02.01.2017, a complaint has been registered in Crime No.4 of 2017 under Section 302 of the Indian Penal Code and under the said circumstances the third respondent has rightly rejected the representation of the petitioner by way of assigning proper reason mainly on the ground of law and order problem and therefore the order passed by the third respondent is not liable to be quashed.

5.In fact this Court has perused the concerned case diary and ultimately found that the alleged murder has not takenplace due to communal problem.

6.Considering the aforesaid factual circumstances, this Court is inclined to quash the order dated 26.01.2017.

7.In fine, this writ petition is allowed without costs and the order passed by the third respondent in No.01/INS/H1PS/17 dated 26.01.2017 is quashed. The third respondent is directed to reconsider the representation alleged to have been given by the petitioner within a period of two days.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police,
Alangulam Circle, Alangulam Taluk,
Tirunelveli District.

3.The Inspector of Police,
Alangulam Police Station,
Alangulam, Tirunelveli District.

+1cc to Mr.S.Krishnan, Advocate,SR NO.7491

+1cc to Special Government Pleader,SR No.7484

smn

ms/pn/sar1/10.2.2017/2p.6c