



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P(MD)No.471 of 2017

Antony Viyagappan

.. Petitioner

Vs.

1.The Deputy Superintendent of Police,
Ambasamudram Division,
I/c.Tenkasi Division, Tirunelveli District.

2.The Inspector of Police,
Ayakudi Police Station,
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 to call for the records pertaining to the impugned order passed by the first respondent in his proceedings Na.Ka.No.09/Thu.Kaa.Ka.The.A/ 2016, dated 08.01.2017 and quash the same as illegal and consequently directing the respondents to grant permission and afford protection for conducting the Kabadi Tournament scheduled on 16.01.2017 from 06.00 p.m. onwards and for usage of mike set during the said tournament scheduled at LRS Campus, Agarakattu, Kadayanallur Taluk, Tiruenlveli District.

For Petitioner : Mr.D.Venkatesh

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 08.01.2017 passed in Na.Ka.No.09/Thu.Kaa.Ka.The.A/2016 by the first respondent and quash the same, by way of issuing a writ of certiorarified mandamus.

2.It is averred in the petition that the petitioner has given a representation to the first respondent for conducting Kabadi Tournament on 16.01.2017. But the first respondent without considering the present situation in the Village has erroneously rejected the claim of the petitioner by way of passing the impugned order dated 08.01.2017. Under the said circumstances, the present writ petition has been filed for getting the relief



3.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents.

4.The learned counsel appearing for the petitioner has contended that the first respondent has rejected the request of the petitioner mainly on the ground that in the Village there are two groups, but in fact both the groups have joined together and under the said circumstances the impugned order dated 08.01.2017 passed by the first respondent is totally illegal and the same is liable to be quashed.

5.The learned Additional Government Pleader appearing for the respondents has contended that since in the Village two groups are in existence, two cases have been registered and since two rival groups are in existence in the same Village, the first respondent has rightly rejected the permission sought by the petitioner by way of passing the impugned order and therefore the impugned order need not be quashed.

6.As adverted to earlier, the learned counsel appearing for the petitioner has contended to the effect that two groups already existed in the Village have become united.

7.Considering the representation made on the side of the petitioner, this writ petition can be disposed of as indicated below.

8.The petitioner is directed to submit a representation of two groups to the second respondent and the second respondent is directed to consider and dispose of the same within a period of one week. With the above observations, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar.

To

1.The Deputy Superintendent of Police,
Ambasamudram Division, I/c.Tenkasi Division,
Tirunelveli District.

2.The Inspector of Police,Ayakudi Police Station,
Tirunelveli District.

+1CC to M/S. D.Venkatesh, Advocate, SR.No.2001

ORDER MADE IN
W.P (MD) No.471 of 2017