



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.7768 of 2018

Poolpandian

: Petitioner

Vs.

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

2. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

: Respondents

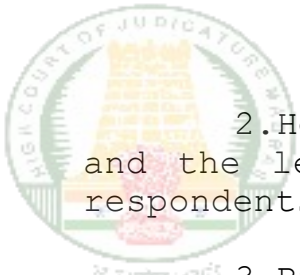
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the rejection order in No.04/C2PS/Memo/2018 of the second respondent dated 07.04.2018 and quash the same and consequently direct the respondents to grant permission to conduct Kabadi Tournment scheduled to be held on 28.04.2018 at 06.00 p.m. to 29.04.2018 at 12.00 p.m. pursuant to "Tamil New Year" at Thamburatti Amman Kovil Thidal, Vallanadu Village, Srivaikundam Taluk, Tirunelveli District.

For Petitioner : Mr.Balaji
for Mr.V.Maharajan

For Respondents : Mr.P.Kannidevan
Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the rejection order in No.04/C2PS/Memo/2018 of the second respondent dated 07.04.2018 and quash the same and consequently direct the respondents to grant permission to conduct Kabadi Tournment scheduled to be held on 28.04.2018 at 06.00 p.m. to 29.04.2018 at 12.00 p.m. pursuant to "Tamil New Year" at Thamburatti Amman Kovil Thidal, Vallanadu Village, Srivaikundam Taluk, Tirunelveli District.



2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the petitioner's request for permission to conduct Kabadi competition in places namely, Vallanadu and Murappanadu are communally sensational areas and many communal problem arose in these areas, which resulted in the registration of the following cases:

S.No.	Crime No. and Section	Police Station
1.	Cr.No.124/2014, U/s.TNPPDL Act r/w. 3 (2) (v) SC/ST Act 1989	Murappanadu
2.	Cr.No.125/2014 U/s.2(v)(a) SC/ST Act 1989	Murappanadu
3.	Cr.No.75/2015 U/s. 294-B, 307, 302, 506 (ii) IPC	Murappanadu
4.	Cr.No.77/2015 U/s. 294-B, 353, 506(ii) IPC	Murappanadu
5.	Cr.No.162/2015 U/s.302IPC @ 120-B, 302 r/w. 34 & 109 IPC and 3(1)(v) SC /ST Act IPC D.O.	Murappanadu

[extracted as such]

5. Therefore, the learned Additional Government Pleader submitted that if the present event is conducted in the aforesaid places, it would create law and order problem.

6. At this juncture, the learned Counsel appearing for the petitioner would submit that the petitioner will make a fresh representation citing a different location, particularly, outside these sensational areas for conducting the said event.

7. Therefore, this Court is of the view that if any fresh application is made by the petitioner for conducting the said event outside the sensational areas, it is open to the second respondent to consider the said representation in accordance with law.

8. This writ petition stands disposed of with the above direction. However, in the facts and circumstances of the case,



there shall be no order as to costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

+ 1 cc TO Mr.V.Maharajan , Advocate in SR No. 61986

+ 1 cc TO The Special Government Pleader in SR No. 61917

MR

AE/SV MMS/SAR4/23.04.2018/3P/5C

**ORDER MADE IN
W.P. (MD) No. 7768 of 2018
17.04.2018**