



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2018

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WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.1244 of 2018
and
WMP(MD) 1330 of 2018

Poomari

... Petitioner

-Vs-

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

2.The Inspector of Police,
Puliyarai Police Station,
Puliyarai, Senkottai Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of certiorarified Mandamus, to call for the records pertaining to the impugned order dated 19.01.2018 passed by the second respondent and quash the same as illegal and consequently direct him to grant necessary permission and provide adequate police protection for conducting the Kabadi tournament scheduled to be held from 10.02.2018 at 07.00p.m, to 11.02.2018 at 01.00p.m, at the ground near Tadco Nagar, Puliyarai, Senkottai Taluk, Tirunelveli District.

For Petitioner : Mr.T.Indrachithu
For Respondents : Mr.B.Bhagawathi
Government Advocate

O R D E R

This petition has been filed to set aside the impugned order passed by the second respondent dated 19.01.2018 and consequently direct the respondents to grant necessary permission and provide adequate police protection for conducting Kabadi Tournament from 10.02.2018 at 07.00p.m to 11.02.2018 at 01.00p.m, at the ground near Tadco Nagar, Puliyarai, Senkottai Taluk, Tirunelveli District.

2.The learned counsel appearing for the petitioner has submitted that the second respondent has rejected the representation submitted by the petitioner on the ground that communal clash has already taken place in the neighbouring village and according to the learned counsel, that cannot be a proper reason for rejecting the petitioner's representation.



3.The learned Government Advocate appearing for the respondent has submitted that the petitioner may be directed to file a fresh representation and on such representation, the second respondent will consider the same and pass appropriate order.

4.Considering the aforesaid submissions, the impugned order passed by the second respondent dated 19.01.2018 is set aside. The petitioner is directed to submit a fresh representation before the second respondent on or before 25.01.2018 and on submitting such representation, the second respondent has to consider his representation and pass appropriate orders on or before 31.01.2018. If necessary, the second respondent can impose the restrictions and conditions as mentioned in the decision of the Hon'ble Supreme Court of India in the case of Church of God (Full Gospel) in India Vs. K.K.R, Majestic Colony Welfare Association and Ors, reported in [(2000) 7 SCC 282].

5.With the aforesaid observations, this writ petition is disposed of. No costs. Consequently, connected W.P.MP(MD)1330 of 2018, is closed.

Sd/-

Assistant Registrar(Crl. Side)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Puliyarai Police Station,
Puliyarai, Senkottai Taluk,
Tirunelveli District.

+1cc to M/S.T.Indrachithu, Advocate SR.No. 43468

+1cc to Special Government Pleader, SR.No. 44041

W.P.(MD) No.1244 of 2018

and

WMP(MD)1330 of 2018

23.01.2018

DAS

JM/SKN RSK/SAR 4/24.01.2018/2P/5C