



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.1799 of 2018

Lakshmanaraja

... Petitioner

-Vs-

The Inspector of Police,
V.K.Pudur Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and police protection to conduct Kabbadi Tournament from 17.02.2018 at 12.00 a.m. to 18.02.2018 at afternoon 12.00 p.m at Public Play Ground, Muthukrishnaperi Village, Alankulam Taluk, Tirunelveli District.

For Petitioner : Mr.S.Selvakumar

For Respondent : Mr.N.Shanmuga Selvam
Additional Government Pleader

O R D E R

This writ petition has been filed to direct the respondent to grant permission and police protection to conduct Kabbadi Tournament from 17.02.2018 to 18.02.2018 at Public Play Ground, Muthukrishnaperi Village, Alankulam Taluk, Tirunelveli District.

2.Heard, Mr.S.Selvakumar, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Additional Government Pleader appearing for the respondent.

3.The learned counsel appearing for the petitioner submitted that the petitioner is one of the members of Seven Red Kabadi Kulu at Muthukrishnaperi Village. The villagers have decided to conduct the Kabadi Tournament from 17.02.2018 to 18.02.2018, with regard to that the petitioner has already submitted a representation dated 11.01.2018 to the respondent, but, sofar, no order has been passed. Hence, he has filed the present writ petition.

3.The learned Additional Government Pleader has submitted that apprehending the petitioner's representation has been considered and the same has been rejected by the respondent on 29.01.2018 and the same has been informed to the petitioner and he has also filed a copy of the said order.



4. In the said order, the respondent has stated that, in the said Village the people belonging to different communities are residing and if the petitioner is permitted to conduct Kabadi Tournament then that would create law and order problem and hence he has rejected the petitioner's representation.

5. Merely because, different community people are residing in the particular Village, it would not be proper to reject the petitioner's representation for conducting the Kabadi Tournament. Hence, the reason given by the respondent is not acceptable and accordingly the said order is set aside. The respondent is directed to consider the petitioner's representation and pass appropriate orders by giving valid reasons and at the time of passing order he has to keep in mind 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 2001 - 1 - L.W. (Cr1.) 233.

6. With the aforesaid observations, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar

To
The Inspector of Police,
V.K.Pudur Police Station,
Tirunelveli District.

+1CC to Mr.S.Selvakumar, Advocate, SR.No. 45252
+1CC to the Special Government Pleader SR.No.46002

W.P.(MD) No.1799 of 2018
31.01.2018

gsp
AM/SV MMS/SAR 1/08.02.2018/2P/4C