



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.1980 of 2018

M.Ramaiah

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent dated 23.01.2018 and quash the same and consequently direct the respondent to grant permission and necessary police protection to conduct the Kabadi Tournament on 17.02.2018 and 18.02.2018 at Thambupuram, Tirunelveli District under flood light .

For Petitioner : Mr.P.R.Prithviraj

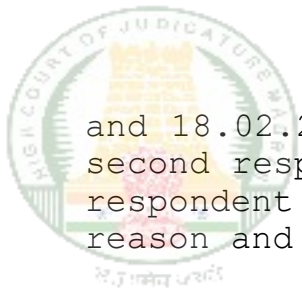
For Respondents : Mr.V.Bhagawathi
Government Advocate

O R D E R

This writ petition has been filed to quash the impugned order passed by the second respondent, dated 23.01.2018 and consequently direct the second respondent to grant permission for conducting Kabadi Tournament on 17.02.2018 and 18.02.2018 in the eve of Sri Durgai Parameswari Temple festival at Thambupuram, Tirunelveli District under flood light.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The learned counsel appearing for the petitioner has submitted that in their Village it was decided for conducting Kabadi Tournament in the eve of Sri Durgai Parameswari Temple on 17.02.2018



and 18.02.2018 and hence, the petitioner gave a petition before the second respondent on 23.01.2018, seeking permission, but, the second respondent has rejected the petition without assigning any valid reason and the same has to be set aside.

4. A perusal of the impugned order passed by the second respondent shows that, he has not stated any valid reason for rejecting the petitioner's representation dated 23.01.2018. He has simply stated that, if the petitioner is permitted to conduct Kabadi Tournament that would cause inconvenience to the public and also it would create law and order problem. But he has not stated how the Kabadi Tournament would cause inconvenience to the public and would create law and order problem. Therefore, the impugned order is set aside. The second respondent is directed to consider the petitioner's representation and pass appropriate orders by giving valid reasons. At the time of passing orders the second respondent has to keep in mind the judgment of the Honourable Supreme Court of India in Church of God (Full Gospel) in India Vs K.K.R.Magestic Colony Welfare Association and Others, reported in 2001-1-L-W (CRL) 233.

5. With the aforesaid observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

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

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

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1cc to Mr. P.R. PRITHIVIRAJ, Advocate, SR.45849

W.P. (MD) No.1980 of 2018
01.02.2018

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