



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.2679 of 2018

Murugan

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.

3.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the rejection impugned order in Na.Ka.No.81/Se.Mu.AA/U.Ka.K/Cherai/2018 passed by the second respondent dated 02.02.2018 and quash the same and consequently direct the respondents to grant permission to conduct a Minnoli Kabadi tournament scheduled from 24.02.2018 at about 6 p.m to 25.02.2018 at about 10.a.m at village ground of Azhagappauram village, Cheranmahadevi Taluk, Tirunelveli District.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

This writ petition has been filed to call for the records pertaining to the impugned order in Na.Ka.No.81/Se.Mu.AA/U.Ka.K/Cherai/2018 passed by the second respondent dated 02.02.2018 and quash the same and consequently direct the respondents to grant permission to conduct a Minnoli Kabadi tournament scheduled from 24.02.2018 at about 6 p.m to 25.02.2018 at about 10.a.m at village ground of Azhagappauram village, Cheranmahadevi Taluk, Tirunelveli District.



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 at village ground of Azhagappapuram village, Cheranmahadevi Taluk, Tirunelveli District from 24.02.2018 at about 06.00 p.m to 25.02.2018 at about 10.00 a.m. He further submitted that the third respondent has rejected the petitioner's representation by the impugned order dated 02.02.2018 without assigning any valid reason and hence the said impugned order has to be quashed.

4. The impugned order perused. In the said order, the second respondent has stated that due to two factions in Nadaar community in Sengulam Village murder has been committed and the case has been registered in Veeravanallur Police Station in Crime.No.87 of 16 under Sections 302 and 506(ii) IPC and another case has been registered in Crime.No.89 of 16 under Sections 147, 148, 294(b), 324, 307 and 506(ii) IPC. He also stated that one more case has been registered in Kallidaikurichi Police Station in Crime No.199 of 17 under Sections 147, 148, 149, 341, 294(b), 302 and 120(b), IPC.

5. He further stated that since the aforesaid cases has been registered, if the petitioner is permitted to conduct the Kabadi tournament at Azhagappapuram Village, Cheranmahadevi, it would create law and order problem.

6. The learned counsel for the petitioner by way of reply has stated that those cases have been registered with regard to the occurrence took place in neighboring Village and not in the Azhagappapuram Village and therefore those cases are not at all relevant for rejecting the petitioner's request.

7. Considering the aforesaid submissions, since the cases which were mentioned in the impugned order not relating to Azhagappapuram Village, the impugned order is set aside. The second respondent is directed to consider the petitioner's request and pass orders and at the time of passing order, the second respondent 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. (Crl.) 233.

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

Sd/-

Assistant Registrar(Crl side)

/True copy/



To

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli District.

3.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

+1cc to Mr.C.K.M.APPAJI,Advocate,SR.47572

W.P. (MD) No.2679 of 2018
09.02.2018

CP/DSS
KK/SV MMS/SAR /22.02.2018/ 3P- 5C/