



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2018

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THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

W.P. (MD) No.374 of 2018

and

W.M.P (MD) .No.392 of 2018

R.Lurdhumicheal Antony

... Petitioner

Vs.

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

2.The Assistant Superintendent of Police,
Cherenmahadevi,
Tirunelveli District.

3.The Inspector of Police,
Mukkudal Police Station,
Cheranmahadevi Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in ந.க.எண்.01/செ.மு.ஆ/உ.கா.த/சேரை/2018, dated 03.01.2018 and quash the same as illegal and consequently direct the respondents to permit the petitioner to conduct Kabadi Tournament from 25.01.2018, 08.00 PM to 26.01.2018, 07.00 AM under light at Sivanthi Adhithanar Play Ground, situated at St.Paul Higher Secondary School, Singamparai in pursuance of the festival of St.Chinnapar Church, Singamparai, Mukkudal Via, Cheranmahadevi Taluk, Tirunelveli District.

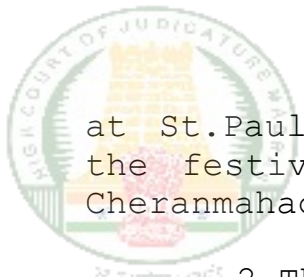
For Petitioner

: Mr.R.Anbarasu

For Respondents

: Mr.V.Anand
Government AdvocateO R D E R

This petition has been filed to quash the order of the second respondent in ந.க.எண்.01/செ.மு.ஆ/உ.கா.த/சேரை/2018, dated 03.01.2018 and direct the respondents to permit the petitioner to conduct Kabadi Tournament from 25.01.2018, 08.00 PM to 26.01.2018, 07.00 AM under light at Sivanthi Adhithanar Play Ground, situated



at St.Paul Higher Secondary School, Singamparai in pursuance of the festival of St.Chinnapar Church, Singamparai, Mukkudal Via, Cheranmahadevi Taluk, Tirunelveli District.

2.The learned counsel appearing for the petitioner has submitted that every year the festival has been conducted in the above said place but without considering the customary practice, the second respondent has erroneously dismissed the petition submitted by the petitioner and therefore, the same is liable to be quashed.

3.The learned Government Pleader has contended that if Kabadi Tournament and Pattimandram are allowed to be conducted, the youth from the nearby villagers, will create law and order problem. He further submitted that since on 26.01.2018 is a Republic day, the police cannot give any protection for the aforesaid programme.

4.By way of reply, the learned counsel for the petitioner has submitted that in the last year also the same kind of order has been passed by the second respondent and the same was challenged in W.P.(MD).No.780 of 2017 and the Division Bench of this Court by an order, dated 23.01.2017 has quashed the said order and directed the petitioner to give a fresh representation and if any such representation is given to the second respondent, the second respondent should pass appropriate order.

5.Taking into consideration of the aforesaid facts in this case also, the petitioner is directed to give a fresh representation to the second respondent and if any such representation is given, the second respondent has to consider the said representation and pass appropriate orders on or before 19.01.2018.

6.With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

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



2.The Assistant Superintendent of Police,
Cheranmahadevi,
Tirunelveli District.

3.The Inspector of Police,
Mukkudal Police Station,
Cheranmahadevi Taluk,
Tirunelveli District.

+1cc to M/S.S.R.Anbarasu, Advocate SR.No. 41262
+1cc to Special Government Pleader, SR.No. 41490

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and
W.M.P (MD) .No.392 of 2018
09.01.2018

RMK/VSG
JM/RSK/SAR 3/18.01.2018/3P/6C