



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

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WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.3950 of 2018

Baskar Ponraj

... Petitioner

-Vs-

1.The Deputy Superintendent of Police,
Cheranmahadevi, Sub-Division,
Tirunelveli District.

2.The Inspector of Police,
Munneerpallam Police Station,
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 passed by the first respondent dated 08.02.2018 ந.க.எண்.89/செ.மு.ஆ/உ.கா.க/சேரை/2018 and quash the same and consequently, direct the respondent to grant permission and protection for conducting Kabadi Tournament from 10.03.2018 at about 08.00pm., to till 11.03.2018, at 10.00am., day and night matches to be held at Sports Ground at Tamilakurichi, Sengulam Post, Palayamkottai Taluk, Tirunelveli District and based on the petitioner's representation to the respondent dated 05.02.2018.

For Petitioner : Mr.S.Krishnan

For RR 1 & 2 : Mr.N.Shanmuga Selvam

Additional Government Pleader

O R D E R

This writ petition has been filed to quash the proceedings in ந.க.எண்.89/செ.மு.ஆ/உ.கா.க/சேரை/2018 and consequently, to direct the respondent to grant permission and protection for conducting Kabadi Tournament schedule to conduct Tournament from 10.03.2018 at about 08.00pm., to onwards till 11.03.2018, 10.00am., day and night matches to be held at sports ground at Tamilakurichi, Sengulam Post, Palayamkottai Taluk, Tirunelveli District.

2.The learned counsel appearing for the petitioner has submitted that in the petitioner's village, every year, they are conducting Kabadi Tournament. Likewise, this year also they have decided to conduct Kabadi Tournament from 10.03.2018 at about 08.00pm., to till 11.03.2018 at 10.00.am., at Sports Ground near



Tamilkurichi, Sengulam Post, Palayamkottai Taluk, Tirunelveli District and for that, the petitioner gave a representation on 05.02.2018. But without assigning any valid reasons, the first respondent has rejected the petitioner's representation by the impugned order dated 08.02.2018. He further submitted that in the said order, the first respondent has stated that around Tamilakurichi Village, people belonging to various communities are residing and already, one case was registered in Crime No.82 of 2016 for the offences punishable under Sections 147, 148, 341, 294(b), 302, 506(ii) of I.P.C, in Munnerpallam Police Station. Therefore, if the petitioner is permitted to conduct Kabadi Tournament a communal problem and also law and order problem may arise. He further submitted that in the last year also the first respondent has passed similar kind of order, but this Court in W.P(MD)No.5115 of 2017, dated 28.03.2017 has set aside the said order and directed the third respondent to consider and pass appropriate orders.

3.The learned Additional Government Pleader appearing for the first and second respondents has submitted that in the last year also the petitioner gave same kind of representation and after considering the same, the first respondent herein has rejected the petitioner's representation, against which the petitioner has preferred a writ petition in W.P.(MD)No.5115 of 2017, in which, the Hon'ble Division Bench of this Court passed an order directing the petitioner to give a fresh representation changing the venue, but the petitioner without changing the venue, has filed the same kind of representation and hence, the said representation was rejected.

4.The order passed by the Hon'ble Division Bench of this Court in W.P(MD)No.5115 of 2017 is perused. In the said order, it is stated that the petitioner was directed to give a fresh representation by way of changing the venue to the Inspector of Police, Munneerpallam and on submitting the said representation, the Inspector of Police was directed to pass order. But the petitioner without changing the venue, has submitted the same kind of representation. Hence, the said representation was rejected.

5.Considering the above facts, the petitioner is directed to submit a fresh representation by changing the venue and on submitting the said representation, the second respondent has to consider the said representation and pass appropriate orders in accordance with law.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/



To

1.The Deputy Superintendent of Police,
Cheranmahadevi, Sub-Division,
Tirunelveli District.

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

+1cc to Special Government Pleader, SR.No. 52982

W.P.(MD) No.3950 of 2018
01.03.2018

das
JM/SKN RSK/SAR 2/08.03.2018/3P/4C