



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. (MD) No. 7637 of 2018

WEB COPY
Selvakumar

... Petitioner

Vs.

The Inspector of Police,
Pavoorchatram Police Station,
Tirunelveli District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Certiorarified Mandamus to call for records pertaining to the impugned order passed by the respondent in his proceeding dated 21.03.2018 and quash the same as illegal and consequently direct the respondent to grant permission and afford protection for conducting the Kabadi Tournament scheduled from 05.05.2018 at about 10.00 p.m. to 06.05.2018 at about 02.00 p.m and for usage of mike set during the said tournament at Kaliyamman Thidal, Chettityur Village, Tenkasi Taluk, Tirunelveli District.

For Petitioner	: Mr.D.Venkatesh
For Respondent	: Mr.P.Kannidevan
	Additional Government Pleader

O R D E R

This writ petition has been filed seeking to quash the impugned order passed by the respondent on 21.03.2018 and consequently direct the respondent to grant permission and protection for conducting Kabadi Tournament, scheduled to be held from 05.05.2018 at about 10.00 p.m. to 06.05.2018 at about 02.00 p.m and for usage of mike-set during the said tournament at Kaliyamman Thidal, Chettityur Village, Tenkasi Taluk, Tirunelveli District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. According to the petitioner, he made an application to the respondent, seeking to grant permission and protection for conducting Kabadi Tournament scheduled to be held from 05.05.2018 at about 10.00 p.m. to 06.05.2018 at about 02.00 p.m and for usage of mike set during the said tournament at Kaliyamman Thidal, Chettityur Village, Tenkasi Taluk, Tirunelveli District. The said



application was rejected by the respondent. Challenging the same, this writ petition has been filed.

4.The learned counsel appearing for the petitioner submitted that the respondent has rejected the petitioner's application on the ground that there is likelihood of creating law and problem in the said locality. Further it is submitted that the order passed by the respondent is a non speaking order and no specific reason has been assigned. Hence, the impugned order of rejection is liable to be set aside.

5.The learned Additional Government Pleader appearing for the respondent submitted that several community of people are expected to gather to see the kabadi tournament and due to that there is likelihood of law and order problem during tournament and hence, permission was refused by the respondent and there is no illegality in the order and prays for dismissal of this writ petition.

6.A perusal of the impugned order of rejection would go to show that the respondent has refused to grant permission on the very general ground that there is likelihood of law and order problem due to gathering crowd at the time of kabadi tournament and no material is produced before the Court to that effect.

7.At this juncture, the learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to file an undertaking affidavit stating that the petitioner shall abide by the conditions to be imposed by the respondent to conduct the tournament and he is also ready to produce all the relevant documents before the respondent.

8.In view of the above undertaking given by the learned counsel appearing for the petitioner and also in view of the fact that the respondent has passed a non speaking order, this Court has no hesitation to set aside the impugned order dated 21.03.2018.

9.In fine, this writ petition is allowed and impugned order passed by the respondent dated 21.03.2018 is set aside. The respondent is directed to consider the petitioner's representation dated 21.03.2018 afresh on or before 30.04.2018, in view of the undertaking affidavit to be filed by the petitioner and the relevant materials to be produced. No costs.

Sd/-

Assistant Registrar (CO)



To

The Inspector of Police,
Pavoorchatram Police Station,
Tirunelveli District.

+1cc to MR.D.Venkatesh, Advocate SR.No.61738
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.61662
MJ/TSG
MK/SV MMS/SAR-3/16.04.2018/3P/4C

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