



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

WEB COPY

W.P. (MD) No. 14909 of 2018

S. Albert

.. Petitioner

Vs.

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.

2. The Additional Superintendent of Police,
Cheranmahadevi Sub Division In-charge,
Nanguneri Sub Division,
Tirunelveli District.

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

.. Respondents

(R-2 amended vide Order dated 20.07.2018 in W.M.P. (MD) No. 14259 of 2018 in W.P. (MD) No. 14909 of 2018)

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to quash the impugned order passed by the 2nd respondent in his proceedings Na. Ka. No. 98/Sa. Mu. Aa/U. Ka. Tha/Nanguneri/2018 dated 28.06.2018 and consequently direct Respondents to grant permission to the Kamarajar Birthday Function for conducting the Floodlights Kabaddi scheduled on 21.07.2018 at about 8 pm to 4 am at Zionmalai Village, Radhapuram Taluk, Tirunelveli District.

For Petitioner : Mr. M. Maharaja

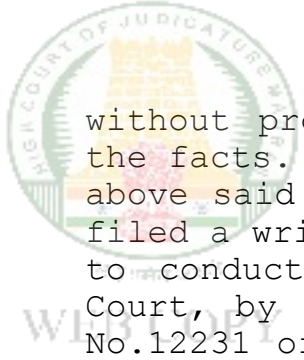
For Respondents : Mr. P. Kannidevan

Additional Government Pleader

ORDER

According to the petitioner, the petitioner made a representation dated 20.06.2018 to the respondents to grant permission to the Kamarajar Birthday Function for conducting the Floodlights Kabaddi scheduled on 21.07.2018 at about 8 pm to 4 am at Zionmalai Village, Radhapuram Taluk, Tirunelveli District. The said representation dated 20.06.2018 was rejected by the second respondent on 28.06.2018. Challenging the aforesaid order, the petitioner is before this Court.

2. The learned counsel appearing for the petitioner would submit that the impugned order passed by the second respondent



without providing an opportunity to the petitioner is contrary to the facts. The petitioner has been seeking permission to conduct the above said programme for the past fifteen years. The petitioner had filed a writ petition in W.P.(MD)No.12231 of 2017 seeking permission to conduct the above said programme for the last year and this Court, by order dated 30.06.2017, allowed the petition in W.P.(MD) No.12231 of 2017 and directed the respondents to consider and pass appropriate orders by granting permission to the petitioner to conduct the Kabaddi tournament by imposing reasonable conditions. Pursuant to the order passed by this Court, the respondents have granted permission to conduct the above said programme. Without taking note of the aforesaid fact and affording any opportunity to the petitioner, the impugned order has been passed by the second respondent. Hence, he seeks permission to conduct the aforesaid programme by filing this writ petition.

3. The learned Additional Government Pleader would submit that the second respondent will re-consider the representation of the petitioner and pass appropriate orders by imposing conditions.

4. The learned counsel appearing for the petitioner also undertakes that the petitioner will file an undertaking before the authority concerned that the reasonable conditions imposed by the authority will be abided by the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

6. Taking note of the fact and the undertaking given by the learned counsel appearing for the petitioner, the impugned order passed by the second respondent is quashed and this Court directs the second respondent to re-consider the representation made by the petitioner dated 20.06.2018 by taking note of the earlier order passed by this Court in W.P.(MD)No.12231 of 2017 dated 30.06.2017 and pass appropriate orders for granting permission to the petitioner by imposing reasonable conditions.

7. With the above direction, this Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (AD-II)

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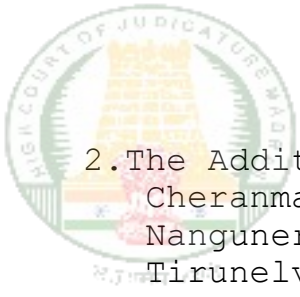
Sub Assistant Registrar

To

1. The Superintendent of Police,

<https://hcservices.ecourts.gov.in/hcservices/>

O/o. The Superintendent of Police,
Tirunelveli District.



2.The Additional Superintendent of Police,
Cheranmahadevi Sub Division In-charge,
Nanguneri Sub Division,
Tirunelveli District.

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

+1CC to Mr.M.Maharaja Advocate in SR.No.74111.

SM

DS/SV/SAR-4 :20.07.2018: 3P/5C

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20.07.2018