



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATE: 20.07.2018
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

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W.P (MD) .No.15742 of 2018

Vijay

... Petitioner

Vs.

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Deputy Superintendent of Police,
Umatchikulam Sub Division,
Madurai District.
3. The Inspector of Police,
C2, Chathirapatti Police Station,
Madurai District.

... Respondents

PRAYER: Writ petition filed under Article 226 of Constitution of India, for the issuance of Writ of Certiorarified Mandamus calling for the records relating to the rejection order of the Sub Inspector of Police attached with the 3rd respondent dated 07.07.2018 and quash the same and consequently direct the respondent to grant permission to conduct Kabadi Tournament scheduled to be held on 21.07.2018 at 07.00 p.m. to 22.07.2018 at 10.00 p.m. pursuant "Erattamalai Seenivasan Birth Day" at Adhi Dravidar Place, Thondaiman village, Chathirapatti Post, Madurai District.

For Petitioner : Mr.A.Vadivel

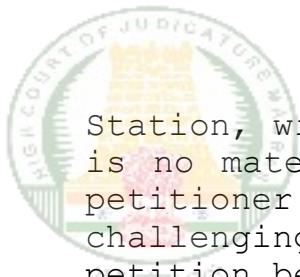
For Respondents : Mr.P.Kannidevan
Additional Government Pleader

ORDER

This writ petition is filed for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the rejection order of the Sub Inspector of Police attached with the 3rd respondent dated 07.07.2018 and quash the same and consequently direct the respondents to grant permission to conduct Kabadi Tournament scheduled to be held from 21.07.2018 at 07.00 p.m. to 22.07.2018 at 10.00 p.m. pursuant to "Erattamalai Seenivasan Birth Day" at Adhi Dravidar Place, Thondaiman village, Chathirapatti Post, Madurai District.

2.Heard both sides.

3.According to the petitioner the impugned order has been passed by the Sub Inspector of Police, M.Chathirapatti Police



Station, without providing any opportunity to the petitioner. There is no material has been placed in the said order by rejecting the petitioner's request to conduct the Kabadi Tournament. Therefore, challenging the aforesaid order, the petitioner has filed this writ petition before this Court.

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4.The learned Government Advocate submits that various cases have been registered in Crime Nos.43, 44 and 45 of 2018 on the file of the 3rd respondent police in connection with the community clash between two groups. Therefore by taking into consideration of the prevailing situation, he has rightly rejected the petitioner's representation as it would also create the law and order problem in that locality.

5.It is seen from the impugned order that the said order has been passed without providing opportunity to the petitioner as well as the other rival groups. It is also seen from the impugned order that the only reason stated is likely to create a law and order problem in that said area if any permission is granted. In the status report, the 3rd respondent has stated that the cases have been registered in the afore said Crime numbers, due to the communal dispute. However, the said cases are not related to conduct the tournament. Therefore, it ought to have been decided after providing opportunity to the parties concerned.

6.Under the said circumstances, the impugned order passed by the Sub Inspector of Police, dated 07.07.2018 is quashed and the 3rd respondent is directed to consider the petitioner's representation afresh, on merits in accordance with law, after providing opportunity to the parties concerned and dispose of the same on or before 21.07.2018.

7.This writ petition stands allowed with the above direction. No costs.

Sd/-

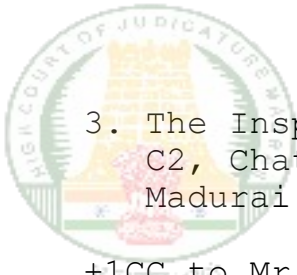
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Deputy Superintendent of Police,
Umatchikulam Sub Division,
Madurai District.



3. The Inspector of Police,
C2, Chathirapatti Police Station,
Madurai District.

+1CC to Mr.A.Vadivel, Advocate, SR.No. 74273

+1CC to the Special Government Pleader SR.No. 74353

W.P (MD) .No.15742 of 2018
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ES/RP/SAR 2/23.07.2018/3P/6C