



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.14199 of 2018

C.Ramasamy

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Manapparai Sub Division,
Trichy District.

3.The Inspector of Police,
Manapparai Police Station,
Manapparai,
Trichy District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Certiorarified Mandamus, calling for the records pursuant to the impugned order passed by the second respondent vide his proceedings in Na.Ka.No.159/Thu.Ka.(Ma.U.Ko)/2018 dated 26.06.2018 and quash the same and consequently directing the respondents to grant adequate police protection to conduct the All India Level Kabadi Tournament for K.N.Ramajeyam Trophy (Men and Women) in Thiyakesar Alai Ground, Bharathi Nagar, Manapparai, Trichy District from 19.07.2018 to 22.07.2018.

For Petitioner : Mr.T.Senthil Kumar,

For Respondents : Mr.P.Kannidevan,
Additional Government Pleader

ORDER

This writ petition has been filed seeking to quash the impugned order passed by the second respondent in Na.Ka.No.159/Thu.Ka.(Ma.U.Ko)/2018, dated 26.06.2018 and consequently, to direct the respondents to grant adequate police protection to conduct the All India Level Kabadi Tournament for K.N.Ramajeyam Trophy (Men and Women) in Thiyakesar Alai Ground, Bharathi Nagar, Manapparai, Trichy District from 19.07.2018 to 22.07.2018.



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

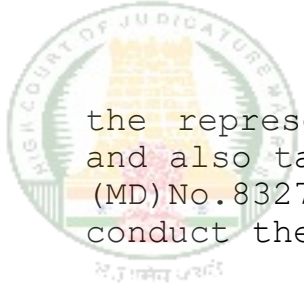
3. The learned counsel appearing for the petitioner would submit that the petitioner has decided to conduct All India Level Kabadi Tournament (Men & Women) in Manapparai from 19.07.2018 to 22.07.2018 on the eve of Political Leaders Birthday Celebrations, venue at Thiyaakesar Alai Ground, situated at Bharathiyar Nagar. The petitioner is also making elaborate arrangements by erecting galleries, barricades and other safety measures. He further submitted that the petitioner has made an application to Amateur Kabadi Federation of India and Tamil Nadu Amateur Kabadi Association, Tirupur and the Amateur Kabadi Federation of India vide Ref.No.AKFI/F.5/AIKT/2018, dated 24.05.2018 has granted permission to conduct the Tournament and the Tamil Nadu Amateur Kabadi Association, Tirupur has also granted the permission. After obtaining permissions from the Federations, the petitioner has sent a representation on 22.06.2018 requesting them to grant necessary permission and police protection for the above said Kabadi Tournament. The second respondent has passed in the impugned order, dated 26.06.2018 rejecting the representation of the petitioner. Challenging the aforesaid rejection order, the petitioner has filed the present writ petition.

4. The learned counsel appearing for the petitioner would further submit that on an earlier occasion, challenging the rejection order, the petitioner has filed a writ petition in W.P(MD) No.8327 of 2015. This Court by order, dated 20.05.2015 allowed the writ petition and granted permission to conduct All India Level Kabadi Tournament. Therefore, the petitioner herein also seek the same orders to be passed in the same writ petition by imposing necessary conditions.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the petitioner has not produced the permission letter of the owner of the venue place. If permission is granted in the aforesaid venue place, it will cause hindrance to the free flow of traffic and opposite to the venue place, Government Hospital is also located and to cause disturbance to the public as well as to the Ambulance Vehicle transporting the patients. Therefore, the petitioner's representation was rightly rejected by the second respondent.

6. In reply to the aforesaid submission, the learned counsel for the petitioner undertakes that there is no hindrance to the free flow of traffic in the aforesaid place and also would not cause any disturbance to the public and the Ambulance vehicle transporting the patients.

7. In view of the undertaking given by the learned counsel for the petitioner before this Court, objections for the rejection of



the representation would be reconsidered by the second respondent and also take note of the earlier order passed by this Court in W.P. (MD)No.8327 of 2015, dated 20.05.2015 by imposing conditions to conduct the Kabadi Tournament.

8.Further, it is made it clear that in the event of any permission is granted by imposing conditions, the petitioner also undertakes before this Court that if any violation is takes place, the respondent can take action for stopping the programme.

9.In the light of the above discussions, the impugned order passed by the second respondent in Na.Ka.No.159/Thu.Ka.(Ma.U.Ko)/2018, dated 26.06.2018 is quashed and the matter is remanded to the second respondent to consider the petitioner's representation, dated 22.06.2018 and pass appropriate orders in the light of the earlier order passed in W.P(MD)No.8327 of 2015, dated 20.05.2015 and also the undertaking affidavit, if any, filed by the petitioner, the same shall be considered on or before 18.07.2018.

10.With the above observations, the writ petition is allowed.
No costs.

Sd/-
Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar.

To

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

2.The Deputy Superintendent of Police,
Manapparai Sub Division,
Trichy District.

3.The Inspector of Police,
Manapparai Police Station,
Manapparai,
Trichy District.

+1CC to Mr.T.Senthil Kumar,Advocate, SR.No.72937
+1CC to the Special Government Pleader SR.No.73037

W.P. (MD)No.14199 of 2018

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