



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.17824 of 2019

and

W.M.P. (MD) .No.14289 of 2019

G.Sundaradoss

... Petitioner

Vs.

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

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the second respondent and quash the same as illegal and arbitrary and also directing the respondents to grant permission and accord protection for conducting the Kabadi Tournament Scheduled for one day ie. on 17.08.2019 at 09.00 p.m to 18.08.2019 at 09.00 a.m. going to be held in the ground situated in Nambi Thoppu, Thirukurungudi, Tirunelveli District.

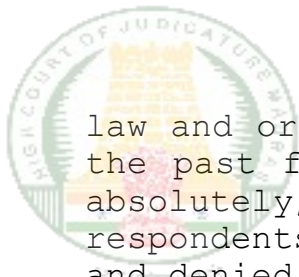
For Petitioner : Mr.C.Susi Kumar

For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed to challenge the order passed by the second respondent rejecting the petitioner's permission to conduct the Kabadi Tournament in Nambi Thoppu, Thirukurungudi, Tirunelveli District.

2. According to the petitioner, every year, they are conducting a Kabadi Tournament in Nambi Thoppu, Thirukurungudi, Tirunelveli District and there is no law and order problem so far. This year, the petitioner wants to conduct the Tournament in Nambi Thoppu, Thirukurungudi, Tirunelveli District and he also made an application to the second respondent, seeking permission to conduct the Kabadi Tournament. But the second respondent rejected the petitioner's application on the ground that there is a likelihood of



law and order problem. The grievance of the petitioner is that for the past five years, they are conducting the Kabadi Tournament and absolutely, there is no law and order problem. But, this year, the respondents have deliberately rejected the petitioner's application and denied the permission.

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3. Today, the second respondent has filed a counter affidavit stating that the petitioner belongs to a particular political party and now they want to conduct a Kabadi Tournament in Nambi Thoppu, Thirukurungudi, Tirunelveli District, a place, wherein, various community people were residing permanently. Now the petitioner wants to conduct the Kabadi Tournament only in order to prove the strength of his political party, there is much possibility for communal riot / law and order issues between the residents of that locality and it is not safe to conduct the Kabadi Tournament in that area. That apart, till date there is no Kabadi Tournament conducted in that area and earlier, the petitioner conducted the Tournament only at Kattalai Puthutheru, Nanguneri Taluk, Tirunelveli District.

4. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that, earlier, the petitioner conducted Kabadi Tournament in the Kattalai Puthutheru, Nanguneri Taluk, Tirunelveli District. Now they want to change the venue and they want to conduct the Tournament in a new place to show their political power. He further submitted that if permission is granted to conduct the Kabadi Tournament in the present place, definitely, it will lead to law and order problem.

5. The learned counsel appearing for the petitioner on instructions, submitted that now the petitioner is willing to conduct the Kabadi Tournament in Kattalai Puthutheru, Nanguneri Taluk, Tirunelveli District, and they will file fresh representation to that effect.

6. Considering the above submission, the petitioner is directed to file a fresh representation before the second respondent Police today itself. On filing such application, the second respondent is directed to consider the same and grant permission by imposing necessary conditions in order to maintain law and order.

7. The Writ Petition stands disposed of as indicated above. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //



To

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

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

+1 CC to M/s.C. SUSI KUMAR, Advocate (SR-83015[F] dated
22/08/2019)

Order made in
W.P.(MD)No.17824 of 2019
Dated: 21.08.2019

Tsg

JMN(29.08.2019) 3P : 4C