



W.P(MD)No.19910 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.19910 of 2022

V.Ranjith

...Petitioner

Vs.

1.The Superintendent of Police,
O/o the Superintendent of Police,
Trichy,
Trichy District.

2.The Inspector of Police,
Thottiyam Police Station,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to the proceedings of the 2nd respondent in Na.Ka.No.03/Tho.Va/2022 dated 21.08.2022 and quash the same and consequently, direct the respondents to permit Bharath Boys Kabadi Group, Kavutharasanallur to conduct Kabadi event on the eve of the 75th Independence Day Celebration on 27.08.2022 and 28.08.2022 at 06.00 p.m to 11.00 p.m.



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For Petitioner : Mr.G.Balaji
For Respondents : Mr.M.Sakthikumar
Government Advocate (crl.side)

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to call for the entire records pertaining to the proceedings of the 2nd respondent in Na.Ka.No.03/Tho.Va/2022 dated 21.08.2022 and quash the same and consequently, direct the respondents to permit Bharath Boys Kabadi Group, Kavutharasanallur to conduct Kabadi event on the eve of the 75th Independence Day Celebration on 27.08.2022 and 28.08.2022 at 06.00 p.m to 11.00 p.m.

2.Mr.M.Sakthikumar, learned Government Advocate (Criminal Side) takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submitted that for the past three years, the petitioner's group viz., Bharath Boys Kabadi Group is conducting Kabadi Tournament. In this year also, marking on the eve of the 75th Independence Day celebration, the petitioner Kabadi



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Group is decided to conduct the Kabadi sport event on 27.08.2022 and 28.08.2022. In this regard, they gave a representation to the respondent police, but the the second respondent, without considering the same, rejected their representation by the impugned order citing the reason that there is law and order problem. Hence, the petitioner approached this Court for the above said relief.

4.The learned Government Advocate (criminal side) appearing for the respondent police has strongly opposed to grant permission.

5. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent police.

6.A perusal of the impugned order, dated 21.08.2022 shows that the petitioner sought permission to conduct Kabadi Tournament on 27.08.2022 and 28.08.2022, which was rejected by the respondent police on the ground that law and order problem would arise. According to the petitioner, he is ready to give an undertaking that they will not involve in any illegal activities while conducting the tournament.



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7.It is noted that the respondent police without considering the circular of the Director General of Police, Tamil Nadu, Chennai in Rc. 007301/Genl.I (1)/2019 dated 09.04.2019 passed the impugned order.

8. It is brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc.007301/Genl.I (1)/2019 dated 09.04.2019 along with instructions to the Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting cultural programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, the impugned order passed by the second respondent dated 21.08.2022 is hereby set aside.

9. Accordingly, the petitioner is at liberty to approach the second respondent and to give a fresh representation along with undertaking that he will not create any law and order problem while conducting the programme. The second respondent is hereby directed to consider the fresh representation to be given by the petitioner and pass suitable orders



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based on the above said circular. If they will involve in any illegal activities, the third respondent is directed to take legal action against them.

10. With the above direction, this writ petition is disposed of.

23.08.2022

Index : Yes / No
Internet : Yes/ No
vsd

Note : Issue Order Copy on 25.08.2022

To

1. The Superintendent of Police,
O/o the Superintendent of Police,
Trichy,
Trichy District.
2. The Inspector of Police,
Thottiyam Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM., J

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