



W.P(MD)No.22358 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.22358 of 2022

Sudhakaran

...Petitioner

Vs.

1.The District Collector
Thoothukudi District.
(Suo motu impleaded vide order
dated 22.09.2022)

2.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

3.The Inspector of Police,
Masarpatti Police Station,
Masarpatti,
Thoothukudi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to grant permission and protection to conduct the Kabadi Tournament, which is scheduled on 23.09.2022, 24.09.2022 and 25.09.2022 as Day – Night Tournament at Thappathi Village, Muthulapuram, Thoothukudi District by considering the Petitioner's representation dated 15.09.2022.



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For Petitioner : Mr.J.Parekhkumar
For R1 : Mrs.K.Christi Theboral
Additional Government Pleader
For R2 - R3 : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking issuance of a writ of Mandamus directing the respondents to grant permission and protection to conduct the Kabadi Tournament, which is scheduled on 23.09.2022, 24.09.2022 and 25.09.2022 as Day – Night Tournament at Thappathi Village, Muthulapuram, Thoothukudi District by considering the Petitioner's representation dated 15.09.2022.

2. The learned Additional Public Prosecutor vehemently objected and stating that the earlier Writ Petition filed in W.P.No.211836 of 2022 by another individual was dismissed as withdrawn on 09.09.2022 as this Court is not inclined grant relief, based on the objection on the learned Additional Public Prosecutor, as the prayer of the Writ Petition was to conduct Kabadi Tournament at State Level. Since it involves Srilankan Tamils in different campus, he vehemently objected. Based on that the learned Counsel for the Petitioner sought withdraw the Petition.



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Therefore, that Petition was dismissed as withdrawn.

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3.Considering the fact that the Petitioner cannot be permitted to hold Kabadi Tournament or any States Level Tournament. There are restrictions in Srilankan refugee campus within a same district also. Considering the prayer and the States ...Petitioner ought to have implead the Collector in the District. But does not so. This Court suo moto implead the District Collector, Thoothukudi District. Considering the campus being run and there is already report by the Tahsildar, Ettayapuram to the District Collector regarding the law and order issue with regard to Srilankan Tamils. In the light of the said letter, the learned Additional Public Prosecutor vehemently objected to conduct Kabadi Tournament.

4.Considering the representation of the Petitioner, the District Collector and the Superintendent of Police, Thoothukudi District shall pass appropriate orders regarding the Tournament to be conducted out of their discretion to pass appropriate orders considering the law and order entered between the refugees and the villagers.



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5.The learned Additional Public Prosecutor further submits that refugees will not be permitted to move within a camp without the permission of the authority concerned.

6.In the light of the above the District Collector and the Superintendent of Police, Thoothukudi District can pass appropriate order.

7. Accordingly, this Writ Petition is disposed of. No costs.

22.09.2022

Index :Yes/No

vsd

Note: Issue Order Copy on 22.09.2022



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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

vsd

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