



W.P.(MD)No.28466 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.28466 of 2022

R.Murugesan

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Bodinaickanur,
Theni District.

3.The Inspector of Police,
Chinnamanur Police Station,
Theni 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 to the petitioner for conducting Kabadi Tournament schedule to be held on 28.12.2022 and 29.12.2022 and give permission and police protection in the name of the Maruthu Memorial Kabadi Club within the time stipulated by this Court.



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For Petitioner : Mr.S.Maruthu Pandian

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents to grant permission to the petitioner for conducting Kabadi Tournament scheduled on 28.12.2022 and 29.12.2022 and give police protection within the time stipulated by this Court.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that since there arose law and order problem that when the Kabadi tournament was conducted earlier, case and case in counter came to be registered and after investigation, the same were closed as 'Mistake of Fact' and that the writ petitioner may be directed to file an undertaking stating that no such untoward incident will occur,



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while conducting the kabadi tournament. He would further submit that they may be permitted to conduct the kabadi tournament from 01.00 p.m. to 07.00 p.m. for two days i.e., 28.12.2022 and 29.12.2022.

4. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to file an undertaking affidavit as stated by the learned Additional Public Prosecutor.

5. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.

6. 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 programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the writ petitioner is directed to file an undertaking affidavit incorporating the date and time of the Kabadi tournament and



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also stating that no such untoward incident will occur, while conducting the kabadi tournament, before the third respondent and on such filing, the third respondent is hereby directed to consider the representation of the writ petitioner dated 15.12.2022 positively and pass orders imposing necessary conditions based on the above said circular.

7. With the above directions, this Writ Petition stands disposed of.

19.12.2022

Index : Yes / No
Internet : Yes / No
csm

Note : Issue order copy on 21.12.2022



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- 1.The Superintendent of Police,
Theni District,
Theni.
- 2.The Deputy Superintendent of Police,
Bodinaickanur,
Theni District.
- 3.The Inspector of Police,
Chinnamanur Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
W.P.(MD)No.28466 of 2022

Dated: 19.12.2022