



W.P.(MD)No.393 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.393 of 2023

D.Antony Raj @ Balan Nadar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent vide his proceedings in Na.Ka.No. 197/Sa.Ka.Ni/Rama/2022 dated 31.12.2022 and quash the same as illegal and direct the respondents to permit the petitioner Association to conduct the Kabadi Match on 07.01.2023.

For Petitioner : Mr.D.Senthil

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



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ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent vide his proceedings in Na.Ka.No. 197/Sa.Ka.Ni/Rama/2022 dated 31.12.2022 and quash the same as illegal and consequently direct the respondents to permit the petitioner Association to conduct the Kabadi Match on 07.01.2023.

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 they have already issued proceedings rejecting the representation made by the writ petitioner dated 07.12.2022 for conducting the Kabadi tournament.



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4. It is seen from the impugned order dated 31.12.2022, the second respondent, without assigning any valid or acceptable reason, has rejected the writ petitioner's representation for conducting the Kabadi tournament.

5. The learned Additional Public Prosecutor appearing for the respondents would submit that the writ petitioner may be directed to give a fresh representation indicating that there was no case pending against the petitioner and the other organizers. He would further submit that they may be permitted to conduct the kabadi tournament from 07.00 a.m. to 05.00 p.m. on 07.01.2023.

6. At this juncture, the learned counsel appearing for the writ petitioner would submit that they are ready to conduct the kabadi tournament as stated by the learned Additional Public Prosecutor.

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



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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 programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the writ petitioner is directed to file a fresh representation as stated by the learned Additional Public Prosecutor before the second respondent and on such representation, the second respondent is hereby directed to consider the same positively and pass orders imposing necessary conditions based on the above said circular.

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

06.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

Note : Issue order copy today (06.01.2023)



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To
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- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.
- 2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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Order made in
W.P.(MD)No.393 of 2023

Dated: 06.01.2023