



W.P.(MD)No.1790 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.1790 of 2023

A.Sudalaimuthu

... Petitioner

Vs.

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

2.The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi 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 notice dated 19.01.2023 issued by the second respondent and quash the same as illegal and consequently direct the second respondent to grant appropriate prior permission for conducting Kabbadi Match which is scheduled to be held on 04.02.2023 and 05.02.2023 in Varatharajaperumal Kovil Ground, Seithunganallur, Thoothukudi District.



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For Petitioner : Mr.K.P.Narayanakumar

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

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice dated 19.01.2023 issued by the second respondent and quash the same as illegal and consequently direct the second respondent to grant appropriate prior permission for conducting Kabbadi Match which is scheduled to be held on 04.02.2023 and 05.02.2023 in Varatharajaperumal Kovil Ground, Seithunganallur, Thoothukudi District.

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 notice dated 19.01.2023 rejecting the representation dated 13.01.2023 made by the



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writ petitioner for conducting the Kabadi tournament stating that when the Kabadi tournament was conducted on 21.02.2021, a case in Crime No.45 of 2021 came to be registered and that if Kabadi tournament is conducted, it will create a law and order problem in the village. He would further submit that the writ petitioner may be directed to file an undertaking affidavit stating that no such untoward incident will occur, while conducting the kabadi tournament and that they may be permitted to conduct the kabadi tournament for two days i.e., on 04.02.2023 from 08.00 a.m. to 08.00 p.m. and 05.02.2023 from 08.00 a.m. to 08.00 p.m.

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



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Re.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 incorporating the date and time of the Kabadi tournament and also file an undertaking affidavit stating that no such untoward incident will occur, while conducting the kabadi tournament, before the second respondent and on such filing, the second respondent is hereby directed to consider the representation of the writ petitioner positively and pass orders imposing necessary conditions based on the above said circular.

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

No costs.

31.01.2023

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

Note : Issue order copy on 02.02.2023

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To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi 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.1790 of 2023

Dated: 31.01.2023