



W.P.(MD)No.3054 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.3054 of 2023

and

W.M.P.(MD)No.2854 of 2023

P.Sudalaimuthu @ Selvam

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tenkasi.

3.The Inspector of Police,
Sambavarvadakarai Police Station,
Tenkasi 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 order dated 27.01.2023 in Na.Ka.No.07/Pothu/Se.Mu.A./The.U/2023 passed by the second respondent and quash the same, consequently directing the respondents to give permission to the petitioner to conduct Kabadi Tournament on 18.02.2023 and 19.02.2023.



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For Petitioner : Mr.D.Venkatachalam

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 order dated 27.01.2023 in Na.Ka.No.07/Pothu/Se.Mu.A./The.U/2023 passed by the second respondent and quash the same, consequently directing the respondents to give permission to the petitioner to conduct Kabadi Tournament on 18.02.2023 and 19.02.2023.

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 on 27.01.2023 rejecting the representation made by the writ petitioner dated 08.01.2023 for conducting the Kabadi tournament stating that



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promulgation order passed under Section 30(2) police act and that there existed some dispute between the political parties in installing party flag post in the village and hence, if kabadi tournament is conducted, it will create a law and order problem. He would further submit that they may be permitted to conduct the kabadi tournament for two days i.e., 18.02.2023 from 08.00 a.m. to 08.00 p.m. and 19.02.2023 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 conduct the kabadi tournament 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



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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 third respondent and on such representation, the third respondent is hereby directed to consider the same 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. Consequently, connected Miscellaneous Petition is closed.

16.02.2023

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

Note : Issue order copy today (16.02.2023)



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WEB COPY To

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Tenkasi District,
Tenkasi.
- 2.The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tenkasi.
- 3.The Inspector of Police,
Sambavarvadakarai Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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K.MURALI SHANKAR,J.

csn

Order made in
W.P.(MD)No.3054 of 2023
and
W.M.P.(MD)No.2854 of 2023

Dated: 16.02.2023