

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.03.2023

CORAM

The Hon`ble Mr. Justice G.ILANGO VAN

W.P(MD).No.5858 of 2023

Nagalingam

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Paramakudi Division,
Ramanathapuram District.

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

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the order passed by the 1st respondent in his proceedings in Na.Ka.No. 34/Thu.Ka.Parama/Nigalchi Niral / 2023, dated 19.02.2023 is illegal and quash the same and consequently directing the respondents to grant permission and give necessary protection to conduct the Kabadi Tournament on 24.03.2203 to 26.03.2023 at about 6.00 pm to 1.00 am at Vanniyavallam, Paramakudi, Ramanathapuram District.

For Petitioner : Mr.B. Aravinthan

For Respondents : Mr. B. Nambiselvan

Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 1st respondent in his proceedings in Na.Ka.No.34/Thu.Ka.Parama/Nigalchi Niral / 2023, dated 19.02.2023 and quash the same and consequently direct the respondents to grant permission and give necessary protection to conduct the Kabadi Tournament on 24.03.2203 to 26.03.2023 at about 6.00 pm to 1.00 am at Vanniyavallam, Paramakudi, Ramanathapuram District.

2. Mr.B.Nambiselvan, 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 19.02.2023 by rejecting the representation made by the writ petitioner dated 19.02.2023 for conducting the Kabadi Tournament stating that if Kabadi Tournament is conducted in the said village, it will create a law and order problem.

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

5. It is noted that the second respondent police without considering the circular of the Director General of Police, Tamil Nadu, Chennai in Rc. 007301/Genl.I (1)/2019 dated 09.04.2019 passed the impugned order.

6. In view of the circular issued by the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, the impugned order passed by the third respondent dated 19.02.2023 is hereby set aside, the writ petitioner is directed to file a fresh representation before the second respondent by altering the date and time and on such representation, the second respondent is hereby directed to consider the the same and pass orders on merits and in accordance with law by following the detailed circular and guidelines issued by the Director General of Police in Rc.007301/Genl.I (1)/2019 dated 09.04.2019,

With the above directions, this Writ Petition stands disposed of. No costs.

23.03.2023

trp

Index : Yes / No

Internet: yes / No

To

1.The Deputy Superintendent of Police,
Paramakudi Division,
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2. The Inspector of Police,
Nainarkovil Police Station,
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G.ILANGO VAN,J

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