



WP(MD)No.932 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.01.2024

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.932 of 2024

and

W.M.P.(MD)No.957 of 2024

P.Srinivasan

... Petitioner

/vs./

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

2.The Deputy Superintendent of Police,
Thiruverumbur, Tiruchirapalli District.

3.The Inspector of Police,
Manigandam Police Station,
Tiruchirapalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd Respondent in C.No.04/DSP/TVBR/SDO/TVBR/Tri/2024 dated 10.01.2024 and quash the same and consequently, direct the Respondents to give permission to the Petitioner to conduct Kabadi Tournament from 13.01.2024 at 03.00 p.m. to 14.01.2024 till 10.00 p.m., opposite to Muthumariamman Thidal,



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Kumbakurichi Tiruchirapalli District with light and sound.

For Petitioner : Mr.A.Azhageson
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus, to quash the impugned order passed by the second Respondent in C.No.04/DSP/TVBR/SDO/TVBR/Tri/2024 dated 10.01.2024 and to direct the Respondents to give permission to the Petitioner to conduct Kabadi Tournament from 13.01.2024 at 03.00 p.m. to 14.01.2024 till 10.00 p.m. opposite to Muthumariamman Thidal, Kumbakurichi, Tiruchirapalli District.

2.The learned Additional Public Prosecutor takes notice for the Respondents. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor appearing for the Respondents.



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4.The learned Counsel appearing for the Petitioner would submit that as the Kabadi Tournament is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this tournament. He would also submit that the Petitioner is the Member of the organizing committee.

5. When the case came up for hearing, the learned Additional Public Prosecutor appearing for the Respondents, on instructions, would submit that due to Pongal Festival there are shortage of manpower due to holding of “Jallikattu” event in and around the District and therefore, permission was refused by the Respondent Police.

6. In the light of the submission of the learned Additional Public Prosecutor, the learned Counsel for the Petitioner seeks direction to consider alternative date. For which, the learned Additional Public Prosecutor submits that the Petitioner has to give a fresh representation to the Respondent and then, the Respondent Police will consider the same. He would also submit that based on the judgments of the Hon'ble Division Bench of this Court, the Director General of Police, Tamil Nadu / Head of State Police Force, Chennai-4, had issued a Circulars in Rc.No.



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159539/Crime 4(3)/2018 dated 31.10.2018 and in Rc.No.007301/General-I(I)/2019, dated 09.04.2019. He would also submit that if fresh representation is given by the Petitioner, it would be considered based on the aforesaid Circulars.

7.In view of the submission made by the learned Additional Public Prosecutor, the ***Writ Petition*** is disposed of. The Petitioner is directed to give a fresh representation to the Respondent Police. On such representation, the Respondent Police shall consider the representation of the Petitioner, based on the aforesaid Circular appropriately. In case, there are any rival groups for the conduct of the Kabadi Tournament, the Deputy Superintendent of Police concerned and the Inspector of Police concerned shall report the matter to the Executive Magistrate concerned and the Executive Magistrate shall decide it finally during the Court holidays. The order passed by the Executive Magistrate/ Tahsildar/ Revenue Divisional Officer, as the case may be, is binding on both parties, considering the special circumstances. No costs. Consequently, connected W.M.P. is closed.

Index : Yes / No
Internet : Yes / No
NCC : Yes / No.
Ls

12.01.2024

Note: Issue Order Copy on 12.01.2024.



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Tiruchirapalli.
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- 3.The Inspector of Police,
Manigandam Police Station,
Tiruchirapalli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Ls

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