



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.8962 of 2017

G.Saravanakumar

... Petitioner

vs.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Superintendent of Police,
Pudukottai District, Pudukottai.

3.The Revenue Divisional Officer,
Pudukottai District, Pudukottai.

4.The Tahsildar,
Karambakudi Taluk,
Pudukottai District,

5.The Inspector of Police,
Sambatti Viduthi Police Station,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent in O.Mu.C5/7014/2017 dated 27.04.2017, quash the same and further direct them to give permission to conduct Jallikattu on 16.05.2017.

For Petitioner : Mr.V.Sankaranarayanan

For Respondents : Mr.V.Muruganantham
Additional Government Pleader.

O R D E R

[Order of the Court was made by T.RAJA, J.]

Heard Mr.V.Sankaranarayanan, counsel for the petitioner and Mr.V.Muruganantham, Additional Government Pleader appearing for



2. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. This Writ Petition is directed against the impugned order, which has been passed without application of mind by the Personal Assistant (General) to the District Collector, viz., T.R.D. Shanthi, Pudukkottai District, in and by which, an erroneous reasoning has been given stating that the Government has not Gazetted notification, thereby refusing permission to conduct the Jallikattu. We are unable to see such an innocuous reasoning given by Ms. T.R.D. Shanthi, P.A. (General) to the District Collector, when the Central Government, keeping in mind the seriousness shown by the people for holding the Jallikattu in the State of Tamil Nadu, has passed an ordinance on 31.01.2017. Pursuant thereto, the State Government has enacted the law permitting Jallikattu all over the State of Tamil Nadu and the same has also been Gazetted on 31.01.2017. The impugned order dated 27.04.2017, which has been passed three months after the issuance of Tamil Nadu Government Gazette Extraordinary published by the authority on 31.01.2017, is wholly misconceived. Therefore, the same is liable to be set aside. Accordingly, the same is set aside.

4. Since the impugned order refusing the permission to hold Jallikattu was passed with no seriousness and without any application of mind, this Court directed the District Collector, Pudukkottai District, to be present before this Court today to explain on what basis the impugned order has been passed. Pursuant thereto, Ms. T.R.D. Shanthi, Personal Assistant (General) to the District Collector, Pudukkottai District, is before this Court along with Additional Government Pleader, by tendering unconditional apology and requested this Court to give a chance to improve. Accepting her apology, this Court directs her to issue permission forthwith to hold Jallikattu not only to the petitioner, but all the other people, whomsoever is approaching the authorities for conducting Jallikattu in the District, subject to usual conditions, that is being imposed.

5. With the above observations, the Writ Petition is disposed of. No costs.

Sd/-
Vacation Officer.

/True Copy/

Sub Assistant Registrar.



To

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Superintendent of Police,
Pudukottai District, Pudukottai.

3.The Revenue Divisional Officer,
Pudukottai District, Pudukottai.

4.The Tahsildar,
Karambakudi Taluk,
Pudukottai District,

5.The Inspector of Police,
Sambatti Viduthi Police Station,
Pudukkottai District.

+1CC to M/S.V.Sankara Narayanan, Advocate, SR.No. 56431
+1CC to the Special Government Pleader SR.No. 56489

W.P(MD)No.8962 of 2017

MYR/RR

JM/SV MMS/SAR 3/15.05.2017/3P/8C