



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
AND
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD) No.9399 of 2017
and

W.M.P (MD).No.7150, 7151, 7152 of 2017

Rasu Udaiyar

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsilar,
Ilayankudi Taluk,
Sivagangai District.

3.The Inspector of Police,
Salaigiraram Police Station,
Salaigiraram,
Ilayankudi Taluk,
Sivagangai District.

4.M.Muniyandi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order passed by the first respondent in Na.Ka.T1/1225/2017, dated 16.05.2017 and quash the same as illegal and consequently direct the respondents 1 to 3 to grant permission to conduct Manjuvirattu on 23.05.2017 in connection with the temple festival of Arulmigu Kalangu Muneeswarar Thirukovil Urchava Festival.

For Petitioner : Mr.R.J.Karthick
For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

(Order of the court was made by **M.V.MURALIDARAN, J.**)

The writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order passed by the first respondent in Na.Ka.T1/1225/2017, dated 16.05.2017 and quash the same as illegal and consequently direct the respondents 1 to 3 to grant permission to conduct Manjuvirattu on 23.05.2017 in connection with the temple festival of Arulmigu Kalangu Muneeswarar Thirukovil Urchava Festival.

2. Heard the counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.



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

4. This Writ Petition is filed for granting permission to conduct Jallikattu. When the Central Government, keeping in mind the seriousness shown by the people for holding 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.

5. The learned counsel for the petitioner submitted that the petitioner's request was summarily rejected without any notice to the petitioner.

6. Considering the fact that the impugned order has been passed without issuing any notice to the petitioner, the impugned order is liable to be set aside and the same is set aside.

7. In view of the above, the petitioner is directed to give a fresh representation to the first respondent and the first respondent is directed to consider the same after giving personal opportunity to the petitioner on merits and in accordance with law within the period of one week from the date of receipt of copy of this order to hold Jallikattu subject to usual conditions, that is being imposed.

8. In the result, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation officer

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Tahsilar,
Ilayankudi Taluk,
Sivagangai District.

3. The Inspector of Police,
Salaigiraram Police Station,
Salaigiraram,
Ilayankudi Taluk,
Sivagangai District.

+1cc to M/S.R.J.Karthick, Advocate, SR.57078

W.P (MD) No.9399 of 2017
24.05.2017

CM/KM/MR

KK-MMS-SAR1-25.05.2017-2P-5C