



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.3696 of 2018
(Criminal)

Jayamohan @ Karuppathevar

... Petitioner

-Vs-

1.The District collector,
Madurai District,
Madurai.

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

3.The Revenue Divisional Officer,
Usilampatti Division,
Usilampatti.

4.The Thasildar,
Usilampatti Taluk,
Usilampatti.

5.The Inspector of Police,
Chekkanoorani Police station,
Chekkanoorani.

6.Manthiri @ chandran

... Respondents

(R6 is impleaded vide Court order dated 01.03.2018
in W.M.P.(MD) No.4330 of 2018)

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission and to provide police protection to conduct the "Jallikattu" on 19.03.2018 during the Masi Thiruvizha of Arulmigu Sree Kamatchiamman Karuppasamy Thirukoil situated at M.Keelapatti Village, Mudhalaikulam Post, Usilampatti Taluk, Madurai District on the basis of the petitioner's representation dated 16.02.2018.

For Petitioner : Mr.S.Sivaprakash

For R1 to R5 : Mr.V.Anand

<https://hcservices.ecourts.gov.in/hcservices/>

Government Advocate

For R-6

: Mr.N.Sathish Babu

O R D E R

This writ petition has been filed to direct the the respondents to grant permission and to provide police protection for conducting "Jallikattu" on 19.03.2018 during the Masi Thiruvizha of Arulmigu Sree Kamatchiamman Karuppasamy Thirukoil situated at M.Keelapatti Village, Mudhalaikulam Post, Usilampatti Taluk, Madurai District, on the basis of the petitioner's representation dated 16.02.2018.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is the member of Jallikattu Committee and the said committee has decided to conduct Jallikattu on 19.03.2018 on the eve of Arulmigu Sree Kamatchiamman Karuppasamy Thirukoil vaikasi Thiruvizha and hence he has submitted a representation on 16.02.2018, but so far no order has been passed.

3.The learned counsel appearing for the sixth respondent has submitted that already the sixth respondent has filed writ petition in W.P.(MD) No.2884 of 2018 seeking permission for conducting Jallikattu to be held on 26.03.2018 and hence, the petitioner is not entitled to get permission from the respondents 1 to 5.

4.The learned Government Advocate appearing for the respondents 1 to 5 has submitted that this Court has passed an order in W.P. (MD) No.2884 of 2018 directing the first respondent to consider the representation submitted by the sixth respondent herein and the said representation is also still pending before the first respondent. He further submitted that the petitioner and the sixth respondent are acting as two factions in the village and each party is claiming right to conduct Jallikattu and hence, the second respondent has passed an order dated 27.02.2018 that since no consensus arrived at between two groups, no permission can be granted to the parties for conducting Jallikadu.

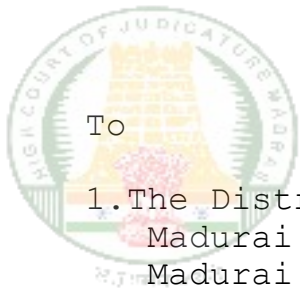
5.Considering the aforesaid submissions, the first respondent is directed to consider the representation submitted by the petitioner herein and also the representation submitted by the sixth respondent and dispose it of early. At the time of passing the order, the first respondent has to keep in mind the decision of the Hon'ble Supreme Court of India in the case of Church of God (Full Gospel) in India Vs. K.K.R, Majestic Colony Welfare Association and Ors, reported in 2001 - 1 - L.W. (Crl.) 233.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/



To

- 1.The District collector,
Madurai District,
Madurai.
- 2.The Superintendent of Police,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Usilampatti Division,
Usilampatti.
- 4.The Thasildar,
Usilampatti Taluk,
Usilampatti.
- 5.The Inspector of Police,
Chekkanoorani Police station,
Chekkanoorani.

+1cc to Special Government Pleader, SR.No. 55968, 56014
+1cc to M/S.S.Sivaprakash, Advocate SR.No. 55560
+1cc to M/S.N.Sathish Babu, Advocate SR.No. 55462

W.P.(MD) No.3696 of 2018
(Criminal)

cp
JM/SKN RSK/SAR 4/16.03.2018/3P/9C