

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18993 of 2019

Arockiam

.. Petitioner

Vs.

1. The District Collector,
Ariyalur District,
Ariyalur.
2. The Zonal Joint Director,
Animal Husbandry Department,
Ariyalur District,
Ariyalur.
3. The Inspector of Police,
Thirumanur Police Station,
Ariyalur.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the second respondent, dated 19.06.2019 in Na.Ka.No.Aa2/48/2019 and the third respondent dated 23.06.2019, quash the same and consequently direct the respondents to grant permission and provide Police protection to the petitioner's village to conduct the "Jallikattu event" scheduled to be held on 21.07.2019 at Pudukottai Village, Thirumazhapadi, via, Ariyalur Taluk and District.

For petitioner : Mr.C.Prabakaran

For respondents: Mr.V.Shanmuga Sundar, Spl.G.P.

ORDER

(The Order of the Court was made by R.Subbiah,J)

The petitioner has come forward with the present Writ Petition praying for issuance of a Writ of Certiorarified

Mandamus to call for the records relating to the impugned order of the second respondent, dated 19.06.2019 in Na.Ka.No.Aa2/48/2019 and the third respondent dated 23.06.2019, quash the same and consequently direct the respondents to grant permission and provide Police protection to the petitioner's village to conduct the "Jallikattu event" scheduled to be held on 21.07.2019 at Pudukottai Village, Thirumazhapadi, via, Ariyalur Taluk and District.

2. The case of the petitioner is as follows:

The petitioner resides in Ariyalur District. The petitioner and others in Pudukottai Village of Ariyalur District, have made an application, dated 17.06.2019 jointly to the first respondent-District Collector requesting for conduct of Jalli Kattu events, which was rejected by the first respondent by the impugned order, dated 19.06.2019, stating that the event cannot be organised in the year 2019, since the period of Jalli Kattu event has been prescribed between the months of January and May of every calendar year, and therefore, it is further observed in the impugned order that in the next year, the application could be made by the petitioner and others at the earliest so that the permission for conduct of Jalli Kattu event, could be granted. Aggrieved by the above order dated 19.06.2019 and the resultant order dated 23.06.2019 passed by the third respondent, the present Writ Petition is filed, for the prayer stated supra.

3. The second respondent has filed counter affidavit.

4. Heard both sides and perused the materials available on record.

5. On a perusal of the counter affidavit, we find that the Tami Nadu Government has issued a letter in No.7952/AH-3/2018-1, dated 14.05.2018 in which it is categorically mentioned that no permission can be given to conduct Jalli Kattu beyond May of every year. Thus, on the basis of the said G.O., the impugned order dated 19.06.2019 had been passed by the first respondent, rejecting the said permission.

6. Therefore, we do not find any infirmity in the decision taken by the respondents 1 and 3 in the impugned orders. It is for the competent authority to decide the issue in question, and therefore, by setting aside the said orders of the respondents 1 and 3, we cannot give any direction. The administrative decision cannot be decided in the Writ Petition filed under Article 226 of the Constitution of India and it is the discretion vested with the concerned authorities to decide the administrative actions. Based on the said letter of the Government Letter, dated 14.05.2018, the first respondent has

rightly rejected the application seeking permission for conduct of Jalli Kattu event. Therefore, we do not find any valid reason to interfere in these kinds of matters. The petitioner can very well apply before the authorities concerned for conducting Jalli Kattu and related functions next year, before-hand and seek necessary relief.

7. With the above observations, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Ariyalur District,
Ariyalur.
2. The Zonal Joint Director,
Animal Husbandry Department,
Ariyalur District,
Ariyalur.
3. The Inspector of Police,
Thirumanur Police Station,
Ariyalur.

+1 cc to M/s.C.Prabakaran, Advocate, S.R.No.62196

+1 cc to the Government Pleader, S.R.No.62385

CP(CO)
SSM(20/08/2019).

W.P.No.18993 of 2019

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