



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2019

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.4324 of 2019

K.Chandrasekaran

... Petitioner

/Vs./

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

2.The Inspector of Police,
Thottiyam Police Station,
Trichy District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to permit the petitioner to conduct bullock cart race, horse cart race, cycling and running on 10.03.2019 by considering the representation of the petitioner dated 11.02.2019.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondent to permit the petitioner to conduct bullock cart race, horse cart race, cycling and running on 10.03.2019 by considering the representation of the petitioner dated 11.02.2019.

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

3. The petitioner has made a representation dated 11.02.2019 to the respondents, seeking permission to conduct bullock cart race, horse cart race, cycling and since no order has been passed, the petitioner has filed this writ petition.

4. The learned counsel for the petitioner agreed to hold the said programme on the same day for 2 hours without obstructing traffic.

5. The learned Government Advocate has no serious objection to permit the petitioner to conduct the bullock cart race, horse cart race, cycling **for two hours** on stringent conditions.



6. Considering the facts and circumstances of the case, the petitioner is directed to give a fresh representation to the second respondent police mentioning the specific time. On receipt of the fresh representation, the second respondent police is directed to consider the representation of the petitioner and give permission to the petitioner to conduct bullock cart race, horse cart race, cycling **for two hours** incorporating the following conditions:-

(a) the participants are directed not to harass the animals.

(b) no flex boards in support of any political party or communal leader, shall be erected at the premises of the programme."

(c) the programme shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(d) if there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

(e) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(f) if any untoward incident takes place, the organizers of the programme be made responsible for the same"

7. The second respondent / the Inspector of Police, Thottiyam Police Station, Trichy District is directed to take all steps to ensure that the programme is conducted in a peaceful manner by imposing suitable conditions taking into consideration the ground situation and reality. The petitioner shall give an undertaking that he will take responsibility for the peaceful conduct of bullock cart race, horse cart race, cycling and no law and order problem will arise.

8. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

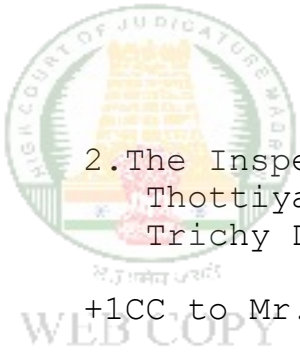
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Sub Assistant Registrar

To

1. The Superintendent of Police,

Trichy, Trichy District.



2.The Inspector of Police,
Thottiyam Police Station,
Trichy District

+1CC to Mr.S.C.HEROLD SINGH , Advocate SR.No.499701.

W.P. (MD) No.4324 of 2019

26.02.2019

DS/(KK) /SAR- (08.03.2019) 3P 4C