



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.25804 of 2019

and

W.M.P. (MD) No.22332 of 2019

P.S.Innasi Sesuraj

... Petitioner

Vs.

1) The District Collector,
Dindigul District, Dindigul.

2) D.Yacoob

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in Na.Ka.No.38010/2018/C2 dated 25.01.2019 and quash the same as illegal.

For Petitioner : Mr.T.Selvam

For R-1 : Mrs.J.Padmavathi Devi,
Special Government Pleader

For R-2 : Mr.D.Venkatesh

O R D E R

This Writ Petition has been filed seeking for a Certiorarified Mandamus to call for the records of the 1st respondent in Na.Ka.No.38010/2018/C2 dated 25.01.2019 and quash the same as illegal.

2. The entire issue is relating to the conduct of Jallikkattu in the village A.Vellodu, Dindigul District, on behalf of the petitioner Puthukovil Punitha Santhiyakappar Kovil, since 1957. In the affidavit filed in support of the petitioner, the petitioner has stated that, earlier on several occasions, namely on 19.02.2017 and 12.03.2018, the petitioner was permitted to conduct Jallikkattu by the District Collector. During the year 2018, the second respondent was permitted to conduct Jallikkattu on



02.04.2018.

3. The present writ petition is filed challenging the permission granted to the second respondent to conduct Jallikkattu for the year 2019 on 25.01.2019. It is also stated that on the given date, Jallikkattu was conducted as per the order of the District Collector, dated 25.01.2019 and therefore, virtually the writ petition has become infructuous. However, the writ petitioner seeks a direction to the 1st respondent to permit him to conduct Jallikkattu in the same village. In the meanwhile, the second respondent had approached the District Collector seeking permission for conducting Jallikkattu on 23.02.2020 and the same was rejected by the District Collector in Na.Ka.No.29719/2019/C2 dated 07.02.2020 citing the pendency of the above writ petition before this Court.

4. Since the petitioner as well as the second respondent are only insisting on the conduct of Jallikkattu for the year 2020 on 23.02.2020, this Court is inclined to pass the following orders:-

(i) The order passed by the District Collector dated 07.02.2020 in Na.Ka.No.29719/2019/C2 is set aside;

(ii) It is open to both the petitioner as well as the second respondent to appear before the District Collector, in which case, the date may be fixed by the District Collector for their personal appearance;

(iii) The first respondent is directed to give an opportunity of personal hearing to both the parties and thereafter shall pass appropriate orders;

(iv) The first respondent may also consider whether a joint permission may be granted to both the petitioner as well as the second respondent or come out with a permanent solution for the years to come, such as, whether permission for conducting Jallikkattu for the alternative years can be given to the petitioner as well as to the second respondent respectively;

(v) Once such an order is passed, both the petitioner as well as the second respondent are directed to obey the same and not to rush to this Court; and

(vi) The first respondent is directed to complete the said exercise on or before 24.02.2020.



5. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected W.M.P.(MD) No.22332 of 2019 is closed.

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Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

The District Collector,
Dindigul District,
Dindigul.

+1 CC to M/s.T.SELVAM, Advocate (SR-6406[F] dated 14/02/2020)

+1 CC to M/s.SPL.GP (SR-6602[F] dated 17/02/2020)

+1 CC to M/s.D.VENKATESH, Advocate (SR-6806[F] dated 18/02/2020)

Order made in

W.P(MD)No.25804 of 2019

AL(CO)

TR(19.02.2020) 3P 5C