



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.2052 of 2022

Anithu Mavatta Periyar Vaigai Paasana
Vivasayigal Sangam,
Rep by its Vice President,
R.D.Rajiv Gandhi

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District,
District Police Office,
Theni.

2.The Assistant Superintendent of Police,
Uthamapalayam, Theni District.

3.The Inspector of Police,
Guddalur North Police Station,
Cuddalore,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.No.01/C1-GDR/Guddalur Circle Police Station/2022 dated 10.01.2022 and quash the same and consequently direct the respondents to permit the petitioner to conduct rekla race event from Guddalur to Kumuli Main Road, Theni District on 02.02.2022.

For Petitioner : Mr.P.Gunasekaran

For Respondents : Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side).

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

2.The petitioner submitted an application for conducting rekla race. The said request was rejected by the third respondent by
<https://hcservices.ecourts.gov.in/hcservices/>



citing the prevalence of the pandemic. The third respondent does not have the jurisdiction to pass an order of this nature. Therefore, on this sole this ground, the order impugned in this writ petition is set aside. However, the date mentioned in petitioner's representation has since elapsed. Therefore, the petitioner is permitted to submit a fresh request to the jurisdictional Deputy Superintendent of Police. It is now informed that the second respondent who is an IPS officer is presently officiating as the jurisdictional Deputy Superintendent of Police. If such a request is made by the petitioner, the same will be disposed of on merits and in accordance with law. The prevalence of the pandemic will not be cited as a reason. This is because that the social life has returned to substantial normalcy and this Court has been permitting holding of several public events.

3. With this observation and liberty to the petitioner, writ petition is allowed. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Superintendent of Police,
Theni District,
District Police Office,
Theni.
2. The Assistant Superintendent of Police,
Uthamapalayam,
Theni District.
3. The Inspector of Police,
Guddalur North Police Station,
Cuddalore,
Theni District.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SRR(CO)
TR(08.02.2022) 3P 5C