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W.P(MD)No.11244 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MRS.JUSTICE S.SSRIMATHY**

W.P(MD)No.11244 of 2022
and W.M.P.(MD) No.8022 of 2022

R.Chellam

... Petitioner

Vs.

1.The Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Chennai.

2.The District Collector,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Melur,
Madurai District.

4.The Tahsildar,
Melur Taluk,
Madurai District.

5.The Inspector of Police,
Kottampatti Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order in Na.Ka.No.C3/28208/2022 of the 2nd respondent and to quash the same and consequently, to direct the respondents 1 & 2 to grant appropriate permission to conduct Vada Manju Virattu event on 12.06.2022 on the eve of Kuda Mulakku Festival in the petitioner's village temple namely Sri Solai Andavar Swamy temple and Sithi Vinayagar Temple, situating in Poo mangalapatti Village, Kottampatti Post, Melur Taluk, Madurai District by notifying the petitioner's village name in the government gazette for conducting Vada Manju Virattu within the time, that may be stipulated by this Hon'ble High Court.



For Petitioner
For Respondents

: Mr.M.S.Jeyakarthik
: Mr.S.Ravi
Additional Public Prosecutor

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ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the 2nd respondent in Na.Ka.No.C3/28208/2022 dated 26.05.2022, whereby the petition seeking permission to conduct Vada Manju Virattu event on 12.06.2022 on the eve of Kuda Mulakku Festival in the petitioner's village temple by name Sri Solai Andavar Swamy temple and Sithi Vinayagar Temple, situated in Poo mangalapatti Village, Kottampatti Post, Melur Taluk, Madurai District was rejected.

2. The case of the petitioner is that in the petitioner's village Kuda Mulakku festival for the present year is celebrated and the villagers have decided to conduct cultural programme and Vada Manju Virattu in connection with the festival. When the petitioner applied for permission before the second respondent, by the impugned order, the District Collector rejected the representation of the petitioner, seeking to conduct Vada Manju Virattu programme, on the ground that the Government has ordered to conduct Jallikattu and related function only from January to May every year. The said order of the District Collector is challenged in this writ petition.

3. Learned Additional Public Prosecutor appearing for the respondents in support of his submissions made reliance on Section 3(2) (i) of the Tamil Nadu Regulation of Jallikattu Act, 2009, which reads as follows:

"3 (2) No permission under sub-section (1) shall be granted to any person to conduct the event, unless the Collector satisfies himself that, -

(i) the event is conducted during the months from January to May of a year."

4. When the Government has taken a policy decision to permit Jallikattu or Manjuvirattu function only from January to May of every year and when there is a specific statutory provision, the second respondent cannot be found fault for rejecting the application.



5. In view of the above, the Writ Petition is dismissed No costs. Consequently, connected Miscellaneous Petition is also dismissed. However, it is open to the petitioner to approach the Government if they want any special relief. Further, if the petitioner prefers appeal against the order of the second respondent within a period to two weeks from the date of receipt of a copy of this order, the first respondent shall consider the same on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of the representation.

Sd/-

Assistant Registrar (Admn.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj

To

- 1.The Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Chennai.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Melur,
Madurai District.
- 4.The Tahsildar,
Melur Taluk,
Madurai District.
- 5.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P (MD) No.11244 of 2022

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