



WEB COPY

W.P.No.36336 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

W.P.No.36336 of 2023

C.Kumaravel

... Petitioner

Vs.

- 1.The Additional Chief Secretary,
Animal Husbandry & Dairying and Fisheries Department,
Secretariat, Chennai – 600 009.
- 2.The District Collector,
Office of the District Collector Office,
Namakkal District.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Namakkal District.
- 4.The Inspector of Police,
Namagiripettai Police Station,
Namakkal District.
- 5.The Joint Director,
Animal Husbandry,
Namakkal District.
- 6.The Divisional Engineering,
Department of Highways,
Mohanur Road,
Namakkal District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th Respondent to consider the petitioner's representation dated 19.12.2023 and grant permission and protection for conducting Horse Card race Schedule to be held on 15.01.2024 at 9 AM from Namagiripettai bus stand to Mettala Anjaneyar Temple via Attur Main Road in connection with the celebration of the Tamil New Year & Pongal Festival celebrating with in a time period.

For Petitioner : Mr.P.Vimalraj

For Respondents : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 4th Respondent to consider the petitioner's representation dated 19.12.2023 and grant permission and protection for conducting Horse Cart race Schedule to be held on 15.01.2024 at 9 AM from Namagiripettai bus stand to Mettala Anjaneyar Temple via Attur Main Road in connection with the celebration of the Tamil New Year & Pongal Festival celebrating with in a time period.



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2. The learned counsel for the petitioner would contend that the petitioner has sent a representation to the respondents dated 19.12.2023 for grant of permission and protection to conduct Horse Cart Race scheduled to be held on 15.01.2024 at 9 AM. Since the same has not been considered by the respondents, the petitioner has filed this present Writ Petition.

3. The learned Government Advocate (Criminal Side) appearing on behalf of the Respondents stated that the representation of the petitioner had been considered and the same was rejected. Thereafter, permission was granted in the alternative place *i.e.*, from Attur to Rasipuram Main Road, Namagiripettai to Koraiyaru. Since already the respondents have permitted the petitioner in alternative routes, this writ petition becomes infructuous.

4. In view of the fact that though the representation of the petitioner was initially rejected, later permission has been granted for Horse Cart Race in alternative routes, this Court issues the following conditions based on the order dated 03.02.2023 passed in W.P.(MD).No.2161 of 2023:

(a) The horse cart race be held on 15.01.2024 in the aforesaid permitted routes *viz.* Attur to Rasipuram Main Road, Namagiripettai to Koraiyaru;



(b) There shall not be any betting or intoxication of horses; and

(c) If there is any violation of any one of the conditions imposed above,

the concerned police officer is at liberty to take necessary action, as per law and stop the horse cart race forthwith.

5. With the above observations and directions, this Writ Petition stands disposed of. No costs

29.12.2023

mkn2/nsd

Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes /No



To

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P.DHANABAL, J.

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