



WEB COPY

W.P.(MD) No.2161 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

W.P.(MD) No.2161 of 2023

Manikandan

... Petitioner

-VS-

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Superintendent of Police,
Thanjavur,
Thanjavur District.

3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and protection for conducting “Bullock cart and House cart Race” in connection with the Pongal festival in the place of Pattukottai Road, Thanjavur District schedule to be held on 04.02.2023 on the basis of the petitioner's representation, dated 25.01.2023.



For Petitioner : Mr.ST.Sasidharan Tamilkani

For R – 1 : Mr.P.Thilak Kumar
Government Pleader

For RR 2 & 3 : Mr.S.Ravi
Additional Public Prosecutor

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission and protection for conducting “Bullock cart and Horse cart Race” in connection with the Pongal festival in the place of Pattukottai Road, Thanjavur District schedule to be held on 04.02.2023, on the basis of the petitioner's representation, dated 25.01.2023.

2. Learned counsel appearing for the petitioner would submit that the petitioner has made a representation on 25.01.2023 to the respondents, seeking permission to conduct bullock cart and horse cart race on 04.02.2023. However, till date, the said representation was not considered by the respondents. Hence, the petitioner has filed this Writ Petition.



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3. The learned counsel for the petitioner would further submit that when the Pongal festival is being celebrated every year by all the village people without any discrimination in respect of caste, community and religion, the bullock cart and horse cart race will be a part of the said Pongal festival and therefore, the same cannot be refused and therefore, the respondents should have grant permission to conduct the bullock cart and horse cart race

4. In response, we have heard the learned counsel appearing for the respondents.

5. As the Pongal festival is being conducted every year by all the village people without discrimination in respect of caste, community and religion and as a part of Pongal festival, the bullock cart and horse cart race have been conducted from time immemorial and therefore, in our considered opinion, the same cannot be refused. Moreover, the villages were left with no other entertainments except the festival, which consisting of other cultural programme and the games, like, bullock cart and rekla race. When the bullock cart and horse race are indicating the cultural



heritage and Tamil culture, denying the same would amount to interfering with the growth of Tamil heritage and culture.

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6. At this juncture, it is pertinent to note that this Court, on an earlier occasion in W.P.No.21366 of 2022, vide order dated 12.08.2022 has granted permission to conduct rekla race, subject to the following conditions:

- “(a) The rekla race in connection with the 75th Year Independence Day and Aadi Festival by considering the petitioner's representation dated 05.08.2022 be held on 14.08.2022 between 9.00 a.m. to 12.00 p.m. from Bhavani to Appukudal Road;*
- (b) There shall not be any betting or intoxication of bulls;*
- (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 rekla race forthwith.*
- (d) The 3rd respondent is directed to issue necessary permission incorporating the above conditions.”*

Following the said order, we are inclined to dispose of this Writ Petition.



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W.P.(MD) No.2161 of 2023



8. Accordingly, this Writ Petition is disposed of, subject to the following conditions:

(a) The bullock cart and horse cart race be held on 04.02.2023 in the place of Pattukottai Road, Thanjavur District;

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

(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 double bullock cart and horse cart race forthwith; and

(d) The 3rd respondent is directed to issue necessary permission incorporating the above conditions.

No costs.

[T.R., A.C.J.] [D.K.K., J.]
03.02.2023

NCC : Yes / No
Index : Yes / No
Internet: Yes / No

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Note: Issue order copy today (03.02.2023)



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T.RAJA, A.C.J.
and
D.KRISHNAKUMAR, J.

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To

- 1.The District Collector,
Thanjavur,
Thanjavur District.
- 2.The Superintendent of Police,
Thanjavur,
Thanjavur District.
- 3.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

ORDER MADE IN
W.P.(MD) No.2161 of 2023

DATED : 03.02.2023