



W.P(MD)No.2725 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.2725 of 2023

A.Rajesh

... Petitioner

Vs.

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

2.The Inspector of Police,
Sethupavasathiram Police Station,
Thanjavur District.

... Respondents

PRAAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant permission to conduct Rekla race and Horse race to be held on 12.02.2023 at Navakkollai Village, Pattukottai Taluk, Thanjavur District based on the petitioner's representation dated 30.01.2023.

For Petitioner : Mr.R.Balamuruganantham

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents to grant permission to conduct Rekla race and Horse race to be held on 12.02.2023 at Navakkollai Village, Pattukottai Taluk, Thanjavur District based on the petitioner's representation dated 30.01.2023.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner submitted that in order to conduct rekla race and horse race on 12.02.2023, they sought permission of the police by giving a representation dated 30.01.2023. But, the respondents have not considered the said representation. Since no order was passed, the writ petitioner has come before this Court for the above said relief.



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4. The learned Additional Public Prosecutor appearing for the respondents would submit that the second respondent, by considering the petitioner's representation, has passed an order dated 09.02.2023 rejecting the permission mainly on the ground that the race would affect the traffic and safety of the public. He would further submit that the writ petitioner may be directed to give a fresh representation.

5. At this juncture, the learned counsel appearing for the writ petitioner would submit that though the writ petitioner has given his representation on 30.01.2023, the second respondent, after filing of the present petition, has rejected the permission sought for on 09.02.2023 i.e., yesterday and that the same was not communicated to the writ petitioner till now.

6. As rightly contended by the learned counsel appearing for the writ petitioner, the reasons assigned by the second respondent for rejection are formal in nature. According to the learned counsel appearing for the writ petitioner, they were conducting rekla race and horse race for the past six years, after getting necessary permission from the second respondent. But this year, they have rejected the permission.



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7. Without entering into the legality or validity of the order passed by the second respondent, the writ petitioner is directed to give a fresh representation indicating the time and route of the race with specific particulars to the second respondent and on receipt of the same, the second respondent is directed to consider the same and pass orders immediately i.e., today (10.02.2023) by imposing necessary conditions.

8. With the above direction, this writ petition stands disposed of.

No costs.

10.02.2023

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

Note : Issue order copy today (10.02.2023)



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- To
- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
 - 2.The Inspector of Police,
Sethupavasathiram Police Station,
Thanjavur District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.2725 of 2023

Dated : 10.02.2023