



W.P(MD)No.3027 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.3027 of 2023

M.Muniyandi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Keelakarai, Ramanathapuram District.

3.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents to grant permission and protection for conducting Bullock Cart Race scheduled to be held on 25.02.2023 at about 04.00 pm to 07.00 pm and 26.02.2023 at about 06.00 am to 09.00 am between Sevalpatti to Sayalkudi Road in connection with the temple festival of Sri Thindu Mundaar Muneeshwarar Temple at Sevalpatti Village, Kadaladi Taluk, Ramanathapuram District.



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For Petitioner : Mr.K.Muthuvai Ilayaraja
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the second and third respondents to grant permission and protection for conducting Bullock Cart Race scheduled to be held on 25.02.2023 at about 04.00 pm to 07.00 pm and 26.02.2023 at about 06.00 am to 09.00 am between Sevalpatti to Sayalkudi Road in connection with the temple festival of Sri Thindu Mundaar Muneeshwarar Temple at Sevalpatti Village, Kadaladi Taluk, Ramanathapuram District.

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 “Festival” of Sri Thindu Mundaar Muneeshwarar Temple at



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Sevalpatti Village, Kadaladi Taluk, Ramanathapuram District, is going to be held on 24.02.2023. Subsequent to the same, in order to conduct 'Bullock Cart Race' on 25.02.2023 at about 04.00 pm to 07.00 pm and 26.02.2023 at about 06.00 am to 09.00 am between Sevalpatti to Sayalkudi Road, they sought permission of the police by giving a representation dated 09.02.2023. Till date, the said representation was not considered by the respondents. Since no order was passed, the writ petitioner has come before this Court for the above said relief.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the second respondent has received the representation of the writ petitioner and the same is pending for consideration. He would further submit that the petitioner may be permitted to conduct 'Bullock Cart Race' on 25.02.2023 at about 06.00 am to 09.00 am and 26.02.2023 at about 06.00 am to 09.00 am between Sevalpatti to Sayalkudi Road.

5. The learned counsel for the petitioner has relied on the order passed by the Hon'ble Division Bench of this Court in W.P.(MD)No.2161 of 2023, wherein the Division Bench by following the earlier order



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passed in W.P.No.21366 of 2022, dated 12.08.2022, has granted permission by imposing certain conditions to conduct Bullock Cart race and the relevant portions are extracted hereunder :

“6. At this juncture, it is pertinent to note that this Court, on an earlier occasion in W.P.(MD)No.21366 of 2022, vide order dated 12.08.2022 has granted permission to conduct rakla 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 am to 12.00 pm 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.”

6. In view of the above, the third respondent is directed to consider the petitioner's representation, dated 09.02.2023 and pass orders and in case of granting permission, subject to the conditions imposed by this Court in W.P.(MD)No.2161 of 2023.



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8. In the result, this writ petition stands disposed of. No costs.

15.02.2023

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

To

- 1.The Deputy Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Keelakarai, Ramanathapuram District.
- 3.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

das

Order made in
W.P(MD)No.3027 of 2023

15.02.2023