



W.P(MD)No.3410 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.3410 of 2023

R.Kannan

... Petitioner

vs.

**1. The State of Tamil Nadu,
represented by its Secretary,
Home Department,
Fort St.George,
Chennai-600 009.**

**2. The District Collector,
Thanjavur District,
Thanjavur.**

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to declare Local Holiday and to close TASMAL Liquor Shops in and around Kumbakonam Town, Thanjavur District on account of Maasi Maham Perunthiruvizha which is scheduled to be conducted on 06.03.2023 in the light of the order passed by this Court in WP(MD)No.3248 of 2021 dated 18.02.2021, by considering the petitioner's representation dated 08.02.2023 within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.B.Anandan
For Respondents : Mr.J.Ravindran

Additional Advocate General assisted by
Mr.P.Thilak Kumar, Government Pleader

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the respondents to declare Local Holiday and to close TASMAL Liquor Shops in and around Kumbakonam Town, Thanjavur District, on account of Maasi Maham Perunthiruvizha which is scheduled to be conducted on 06.03.2023, in the light of the order passed by this Court in WP(MD)No.3248 of 2021, dated 18.02.2021, by considering the petitioner's representation dated 08.02.2023 within a stipulated time that may be fixed by this Court.

2. Learned counsel for the petitioner submitted that on 06.03.2023, Maasi Maha Peruvizha will be celebrated in Kumbakonam Town and a large number of people will gather at Kumbakonam to have a holy dip in the tank. Due to the large gathering of people at Kumbakonam, local residents, school going children and students will face difficulties on that day. Therefore, the



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festival day has to be declared as a local holiday. He further submitted that the petitioner apprehends that there is a likelihood of law and order problem, if the TASMAC shops in and around Kumbakonam Town are not closed on that day. In this regard, though the petitioner made a representation dated 08.02.2023, till date, the same has not been considered.

3. Learned counsel for the petitioner further submitted that on the earlier occasion, the petitioner filed W.P(MD)No.3248 of 2021 seeking the same relief for the year 2021 and by order dated 18.02.2021, this Court has directed the authority concerned to look into the matter and pass appropriate orders. Learned counsel relied upon G.O(Ms)No.934, Public Department, dated 08.12.2016, whereby local holiday had been given on 18.04.2016 on account of the car festival of Arulmigu Pragatheeswarar Temple, Thanjavur. Thus, he prayed for allowing the writ petition.

4. Learned Additional Advocate General appearing for the respondents submitted that the 2nd respondent will consider and pass appropriate orders on the representation of the petitioner dated 08.02.2023 within a time frame.



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5. Recording the aforesaid submission and without expressing any opinion on the merits of the case, we direct the 2nd respondent to consider the representation of the petitioner dated 08.02.2023 and pass appropriate orders on merits and in accordance with law on or before 01.03.2023.

6. With the above direction, the Writ Petition is disposed of.
No costs.

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

[D.K.K.,J.] & [L.V.G.,J.]
22.02.2023

To

1. The Secretary,
State of Tamil Nadu,
Home Department,
Fort St.George,
Chennai-600 009.

2. The District Collector,
Thanjavur District,
Thanjavur.



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D.KRISHNAKUMAR, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
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DATED : 22.02.2023