



W.P(MD)No.9668 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.9668 of 2023

Peramarasu

... Petitioner

Vs.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings of the 3rd respondent in Na.Ka.No.94/SBC PS/2023 dated 15.04.2023 and quash the same as illegal and to direct the respondents to grant permission to conduct the Rekla Race and Horse Race to be held on 30.04.2023 at Selva Vinayagar Kovil, Mela Theru, Sethubavachathiram, Peravurani Taluk, Thanjavur Distict, between 6.00 AM to 11.00 AM.



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For Petitioner : Mr. Balamuruganantham.R

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings of the 3rd respondent in Na.Ka.No.94/SBC PS/2023 dated 15.04.2023 and quash the same as illegal and to direct the respondents to grant permission to conduct the Rekla Race and Horse Race to be held on 30.04.2023 at Selva Vinayagar Kovil, Mela Theru, Sethubavachathiram, Peravurani Taluk, Thanjavur Distict, between 6.00 AM to 11.00 AM.

2. Mr.B.Nambiselvan, 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 30.04.2023 at about 06.00 am to 11.00 am, they sought permission of the police by giving a representation dated 11.04.2023. But, the third respondent has



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considered and rejected the said representation. Challenging the same, 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 if fresh representation is given to the third respondent, the same will be considered.

5. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.

6. 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 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,



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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.”

7. 7. In view of the above, rejection order in Na.Ka.No.94/SBC PS/2023 dated 15.04.2023, passed by the third respondent is hereby set aside. The writ petitioner is directed to file a fresh representation before the third respondent and on such representation, the third respondent shall consider the same and pass orders on its own merits by following the above said conditions. At that time of passing orders, the third respondent is directed to take into account of the road through which the



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above side Rekla race or horse race is going to be held. With regard to the road and time, restriction may be imposed upon the petitioner by the third respondent.

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

25.04.2023

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

To

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

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Order made in
W.P(MD)No.9668 of 2023

Dated : 25.04.2023