



W.P(MD).No.12182 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.05.2023

CORAM

THE HONOURABLE MR. JUSTICE **P.VADAMALAI**

W.P(MD).No.12182 of 2023

C.Muralitharan
(Represented State Advocate Team Leader of
Tamil Nadu Kallarpatai Pattru Nala Sangam)

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai-625 007.

2.The Deputy Superintendent of Police,
Melur Taluk,
Madurai District.

3.The Inspector of Police,
Melur Circle Office,
Melur Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of /rejection proceedings passed in ந.க.எண்:38/கா.ஆ.மே.வ/2023 dated 10.05.2023 passed by the third respondent and quash the same as illegal and consequently directing the respondents to grant permission and protection to conduct the “Rakkla Race Programme” in this



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regard, the petitioner's villagers have decided to arrange Rakkla Race to be held on 29.05.2023 morning at about 06.00 a.m. to 12.00 p.m. at Melur to Sivagangai Main Road up to starting point Ganesh Petrol Pumb to Kottanathampatty Bus Stop, Melur Taluk, Madurai District by this Court.

For Petitioner : Mr.A.Mohamed Ayyadurai
For Respondents : Mr.M.Veeranthiran
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of /rejection proceedings passed in ந.க.எண்:38/ கா.ஆ.மே.வ/2023 dated 10.05.2023 passed by the third respondent and quash the same as illegal and consequently directing the respondents to grant permission and protection to conduct the “Rakkla Race Programme” in this regard, the petitioner's villagers have decided to arrange Rakkla Race to be held on 29.05.2023 morning at about 06.00 a.m. to 12.00 p.m. at Melur to Sivagangai Main Road up to starting point Ganesh Petrol Pumb to Kottanathampatty Bus Stop, Melur Taluk, Madurai District.

2. Mr.M.Veeranthiran, learned Government Advocate (Criminal side) takes notice for the respondents.



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3. The learned Government Advocate (Criminal side) appearing for the respondents would submit that they have already issued proceedings rejecting the representation made by the writ petitioner dated 09.05.2023 for conducting the Rakkla Race stating that promulgation order passed under Section 30(2) of police act and that the race would affect the traffic and safety of the public.

4. The learned counsel appearing for the writ 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, 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:



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(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.”

5. In view of the above, the writ petitioner is directed to file a fresh representation before the third respondent and on such representation, the third respondent is hereby directed to consider the same 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.

6. With the above directions, this writ petition stands disposed of. No costs.

24.05.2023

Internet : Yes/No
Index : Yes/No
Speaking/Non Speaking order
csm

Note : Issue order copy on 24.05.2023



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To

WEB COPY

1. The Superintendent of Police,
Madurai District,
Madurai-625 007.
2. The Deputy Superintendent of Police,
Melur Taluk,
Madurai District.
3. The Inspector of Police,
Melur Circle Office,
Melur Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

csn

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Dated : 24.05.2023