



W.P.(MD) No.21384 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.21384 of 2023

Manickaraja

... Petitioner

/vs./

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

2.The Deputy Superintendent of Police,
Sathankulam Division,
Thoothukudi District.

3.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to give permission for “Rekhla Race” function scheduled on 17.09.2023 and adequate police protection for the event based on petitioner’s representation dated 08.08.2023

For Petitioner : Mr.M.Jegadeesha Pandian
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (criminal side)



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ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent No.3 to give permission for conducting Rekhla Race on 17.09.2023 and adequate police protection.

2.It is submitted by the learned counsel for the petitioner that the petitioner is the President of the Nethaji Sports Club, which is registered bearing Reg.No. 151/22 and is established with a motive to develop the sports in their village and other areas. It is submitted further that earlier the petitioner and others have conducted the Marathan Race successfully without any untoward incident. Now, the petitioner and others have decided to conduct the Rekhla Race on 17.09.2023, for which the petitioner stated to have filed an application before the police on 08.08.2023 seeking permission. However, the said application has not been considered so far and therefore, sought for suitable directions.

3.The learned Government Advocate (Crl.side) has strongly opposed to grant the permission, as the petitioner is intending to conduct the Rekhla Race on the road ie., from Pannamparai Bus Stop viz., Puthukinaru to Sathankulam Bus



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Stand and return to Puthukinaru, which ends at Pannamparai Bus Stop. At this stage, the learned counsel for the petitioner has fairly submitted that the petitioner is prepared to identify the suitable alternative place, so that there will not be any inconvenience to the people, who may likely use the road.

4.Considering the circumstances, this Petition is disposed of directing the petitioner to approach the police and file a fresh application. In case if the petitioner identifies an alternative place other than the public road, then the respondent police may consider and grant the permission to the petitioner to conduct the Rekhla Race by imposing the following usual conditions, which require in respect of the event to be conducted. The police are at liberty not to grant the permission, in case if the request is to conduct the Rekhla Race on the public road.

i) the double bullock cart race shall be permitted to be conducted between 7.30 a.m., to 12.00 p.m., only on 17.09.2023;

ii) The organizers shall take all precautionary measures to see that no untoward incident happens;



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iii) The organizers must ensure that the spectators who come to witness the race, shall be kept in a proper distance from the racing track / road, so that there is no possibility of any accident involving the spectators.

iv) The organizers must ensure that a medical Doctor with Emergency Medical Kit, is also provided in order to attend to the person who may receive any injury.

v) The organizers must also provide access to the persons who wanted to go into the village or come out of the village by using the road, during the said period of 7.30 a.m., to 12.00 p.m.

vi) There shall not be any betting or intoxication of bulls;

vii) Finally, in case, if any of the conditions referred above are violated, the concerned police are at liberty to take necessary action as per the law and stop the Rekla Race forthwith.

No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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DR.D.NAGARJUN, J.

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