



W.P.(MD) No.22153 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.22153 of 2023

John Devasirvatham

... Petitioner

/vs./

**1.The Superintendent of Police,
Thanjavur District.**

**2.The Sub Inspector of Police,
Pattukottai Taluk Police Station,
Pattukottai,
Thanjavur District.**

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings issued by the 2nd respondent vide his proceedings in Na.Ka.No. 31/PKT TK/PS/2023 dated 05.09.2023 and quash the same as illegal and unconstitutional and consequently directing the respondents to grant permission for conduct of the Horse Cart race on 23.09.2023 between 8 a.m. to 12 noon at Muthupettai Road, Anaikadu Village, Pattukottai Taluk, Thanjavur District.

For Petitioner : Mr.L.Jaivenkatesh

**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 police to conduct the Horse Race on 23.09.2023 at Muthupettai Road, Anaikadu Village, Pattukottai Taluk, Thanjavur District in order to conduct the 100th birth anniversary of M.Karunanidhi, the then Chief Minister.

2.The learned Government Advocate (Crl.side) submits that if the Horse Race is conducted on the public road, it wil obstruct the free-flow of the traffic, thereby the permission sought for was declined.

3.Conducting of Horse Races on the public road will certainly causes obstruction to the free-flow of the traffic and will cause hazardous to the persons, who come to witness the Horse Races. Horse Races are required to be conducted in the plain land not on the public roads. At this juncture, the learned counsel for the petitioner submits that the petitioner is prepared to identify alternative suitable site in consultation with the police for conducting the Horse Race and therefore, sought for suitable directions.



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4. In view of the above, the petitioner is at liberty to approach the respondent police and file a fresh application by identifying the alternative suitable place in consultation with the respondent police and on filing of such application, the respondent police are directed to consider the same and grant the permission by imposing the usual conditions keeping in view of the fact that the Horse Race is scheduled to be held on 23.09.2023.

5. With the above directions, this Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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

12.09.2023

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Note : Issue order copy on 14.09.2023

To

1. The Superintendent of Police,
Thanjavur District.

2. The Sub Inspector of Police,
Pattukottai Taluk Police Station, Pattukottai, Thanjavur District.

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DR.D.NAGARJUN, J.

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