



W.P(MD)No.30077 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.30077 of 2023

G.Mathiyazhagan

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

3.The Inspector of Police,
Peravurani 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.66/G2-PVI PS/2023 dated 06.12.2023 and quash the same as illegal and to direct the respondents to grant permission to conduct the Rekla Race to be held on 01.01.2024 at Kundamaraikkadu Peravurani Taluk, Thanjavur District, between 06.00 a.m to 10.00 a.m.



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For Petitioner : Mr. R.Balamuruganantham
For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

ORDER

This writ petition is filed seeking quashment of the impugned order passed by the third respondent in Na.Ka.No.66/G2-PVI PS/2023 dated 06.12.2023 and to direct the respondents to grant permission to conduct the Rekla Race to be held on 01.01.2024 at Kundamaraikkadu Peravurani Taluk, Thanjavur District, between 06.00 a.m to 10.00 a.m.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents.

3.Heard both sides.

4. The learned counsel appearing for the writ petitioner submitted that Rekla Race at Kundamaraikkadu Peravurani Taluk, Thanjavur District,, is going to be held on 01.01.2024. Subsequent to the same, in order to conduct the said Rekla Race on 01.01.2024, they sought permission of the Police by giving a representation dated 04.12.2023.



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But, the third respondent has considered and rejected the said representation. Challenging the same, the writ petitioner has come before this Court for the above said relief.

5.The learned Additional Public Prosecutor would submit that the representation that was made by the petitioner came to be rejected by the competent authority, on the apprehension of creating traffic jam and it would affect the normal life of the people. He would further submit that the petitioner has not obtained permission from the Animal Welfare Board. After obtaining appropriate permission from the Animal Welfare Board, if any fresh representation is given by the petitioner, along with undertaking affidavit to the effect that the above said event will be held in peaceful manner, the same will be considered by the respondent police.

6.Accordingly, after obtaining appropriate permission from the Animal Welfare Board and the Highways Authorities, the petitioner is directed to file an undertaking affidavit along with fresh representation, before the second respondent, within a week from the date of receipt of a copy of this order, stating that he will comply all the conditions whatever



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imposed upon them to conduct the above said event in peaceful manner.

On such filing of the undertaking affidavit and fresh representation, it may be considered by the second respondent favourably imposing reasonable conditions by following the order of the Hon'ble Division Bench of this Court passed in the case of ***C.Sathasivam Vs. The Superintendent of Police, Trichy District and another***, in ***W.P.(MD).No. 12535 of 2023, dated 24.05.2023*** and in the light of the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019.

7. With the above said directions, this writ petition stands disposed of and impugned rejection order issued by the third respondent in Na.Ka.No.66/G2-PVI PS/2023, dated 06.12.2023. No costs.

19.12.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

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To

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. The Inspector of Police,
Peravurani 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.30077 of 2023

Dated : 19.12.2023