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W.P.No.5621 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

W.P.No.5621 of 2024

Namakkal District Horse Cart Race Association,
Reg No.23/2023

Represented by its President
E.Balakrishnan (A) E.K.Murai,
Son of M.Ethiraj
2/1, Valayalkaara Street,
Senthamangalam Post,
Namakkal – 637 409

.. Petitioner

Vs.

1. The District Collector,
Namakkal District,
Collectorate, Namakkal.

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

3. The Inspector of Police,
Senthamangalam to Namakkal Road,
Namakkal District – 637 409

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of Mandamus directing the



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Respondents to consider the application dated 10.02.2024 submitted by the petitioner for seeking permission and to provide protection to conduct horse cart race schedule to be held on 07.03.2024 at 9AM from Senthamangalam to Namakkal outer ring road in Connection with the festival of the Perumal Kovil Thiruther celebrated in Senthamangalam Village, Namakkal district.

For Petitioner	: Mr.M.Karthikeyani
For Respondents	: Mr.A.Damodaran Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent police to deal with the representation made by the petitioner dated 10.02.2024 wherein the petitioner has sought for permission and police protection to conduct horse cart race on 07.03.2024 as a part of the temple festival that was conducted at Perumal Kovil in Senthamangalam Village, Namakkal District.

2. When the matter came up for hearing on 05.03.2024, this Court directed the learned Additional Public Prosecutor to take instructions



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and report before this Court.

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3. When the matter came up for hearing today, learned Additional Public Prosecutor submitted that the permission sought for by the petitioner to conduct the Horse cart race in the Highways cannot be granted by the police, since it will affect the free flow of traffic. The learned Additional Public Prosecutor further submitted that the festival itself is over and therefore, there is no reason to conduct Horse Cart Race thereafter.

4. The learned counsel for petitioner submitted that the petitioner association will identify an alternative place and seek for a permission to the respondent police to conduct the horse cart race.

5. In the considered view of this Court, the temple festival itself was over on 07.03.2024. However, the learned counsel for the petitioner submitted that this Horse Cart race forms part of the festival and the petitioner will identify an alternative place and seek for fresh permission to



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the police. If any such permission is sought for by the petitioner association, it is left open to the respondent police to deal with the same on its own merits and in accordance with law and see if such race can be conducted without causing any hindrance / disturbance to the free movement of the general public and vehicles. A decision shall be taken immediately after a fresh representation made by the petitioner association.

6. This Writ Petition is disposed of in the above terms. No costs.

Index : Yes/No
Internet : Yes/No
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To
1. The District Collector,

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Namakkal District,
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2. The Superintendent of Police,
Namakkal District, Namakkal.
3. The Inspector of Police,
Senthamangalam to Namakkal Road,
Namakkal District – 637 409.
4. The Public Prosecutor, High Court, Madras

N.ANAND VENKATESH, J.



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