



W.P.(MD) No.1198 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.1198 of 2024

V.Karthikeyan

... Petitioner

-VS-

1.The District Collector,
Thanjavur District,
Thanjavur.

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

3.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur.

4.The Inspector of Police,
Peravurani Police Station,
Peravurani,
Thanjavur District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling the entire records relating to impugned rejection order passed by the 3rd respondent in Seyalmurai Aanai No. 02/Thu.Ka/Mukam/Pattu/2023, dated 05.01.2024 and quash the same and consequently direct the respondent to grant permission to conduct “Bullock Cart Race” and “Horse Race” at Peravurani Aavanam Road to Enathi Karambai, on 27.01.2024, at about 06.00 a.m to 2.00 p.m.

For Petitioner : Mr.S.Mohamed Suhail

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1

Mr.R.Meenakshisundaram
Additional Public Prosecutor for R2 to R4

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed challenging the rejection order passed by the 3rd respondent in Seyalmurai Aanai No. 02/Thu.Ka/Mukam/Pattu/2023, dated 05.01.2024, and consequently to direct the 3rd respondent to grant permission to conduct “Bullock Cart Race” and “Horse Race” at Peravurani Aavanam Road to Enathi Karambai, on 27.01.2024, at about 06.00 a.m to 2.00 p.m.



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2. By consent of both sides, the Writ Petition itself is taken up for final disposal at the time of admission itself.

3. According to the petitioner, he has made an application to the third respondent to conduct Bullock Cart Race on 04.01.2024 and the third respondent has passed the impugned rejection order on the ground that the petitioner has not obtained permission from the Highways Department and has not produced the copy of the letter requesting the Animal Husbandry and Dairying Department to examine the bullocks at the time of conduct of the race and to give certificate. Hence, the petitioner has come forward with the present Writ Petition.

4. Learned counsel for the petitioner would submit that the Divisional Engineer, Highways Department, Thanjavur, vide his letter No. 139/2024/Aa4, dated 11.01.2024, addressed to the third respondent, has informed for providing police protection to conduct Bullock Cart Race. He would further submit that the petitioner will also produce the copy of the letter, requesting the Animal Husbandry and Dairying Department to examine the bullocks at the time of conduct of the Bullock Cart Race and to give certificate, within two days from



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today. Hence, he sought for necessary direction to the third respondent to grant permission to conduct Bullock Cart Race on 27.01.2024.

5. Learned Additional Public Prosecutor appearing for the respondents 2 to 4 would submit that if the petitioner produce the copy of the letter to the Animal Husbandry and Dairying Department, the third respondent will consider the same as per relevant rules and pass appropriate orders, without hindrance to the traffic.

6. In the light of the submissions made by the learned counsel on either side, the impugned rejection order passed by the 3rd respondent in Seyalmurai Aanai No.02/Thu.Ka/Mukam/Pattu/2023, dated 05.01.2024, is set aside and the matter is remanded to the third respondent for fresh consideration. The petitioner is directed to produce the copy of the letter, requesting the Animal Husbandry and Dairying Department to examine the bullocks at the time of conduct of the Bullock Cart Race and to give certificate, within two days from today and on such production, the third respondent is directed to consider the same and pass appropriate on merits and in accordance with law as expeditiously



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as possible, preferably, on or before 25.01.2024. We make it clear that it is open to the third respondent to impose necessary conditions, including restriction of time for conducting Bullock Cart Race or change of time, so as to ensure that they shall not cause any disturbance to the traffic congestion, if permission is granted.

7. Accordingly, the Writ Petition stands disposed of. No costs.

[D.K.K., J.] [R.V., J.]
22.01.2024

Index : Yes / No
Internet : Yes / No
SJ

Note: Issue copy on 23.01.2024

To

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Superintendent of Police,
Thanjavur District,
Thanjavur.



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and
R.VIJAYAKUMAR, J.

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3.The Deputy Superintendent of Police,
Pattukottai,
Thanjavur.

4.The Inspector of Police,
Peravurani Police Station,
Peravurani,
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