



W.P.(MD) No.1207 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.1207 of 2024

V.Samy Durai

... Petitioner

-VS-

1.The District Collector,
Tirunelveli District.

2.The Superintendent of Police,
Tirunelveli District.

3.The Deputy Superintendent of Police,
Valliyur Sub Division,
Tirunelveli District.

4.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.

... Respondents

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 issued by the 3rd respondent and quash the same and



W.P.(MD) No.1207 of 2024

consequentially directing the respondents to grant permission and to give a police protection to conduct Bullock Cart Race scheduled on 23.01.2024 at about 03.30 pm at Sri Ramalinga Swamy Undanurai Sivakami Ambal Sri Nambi Singaperumal Temple, Panakudi Village, Tirunelveli District.

For Petitioner : Mr.K.Suyambulinga Bharathi

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 and consequently to direct the respondents to grant permission and to give police protection to conduct Bullock Cart Race scheduled on 23.01.2024 at about 03.30 pm at Sri Ramalinga Swamy Undanurai Sivakami Ambal Sri Nambi Singaperumal Temple, Panakudi Village, Tirunelveli District.

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



W.P.(MD) No.1207 of 2024

WEB COPY

3. According to the petitioner, he has made an application to the fourth respondent to conduct Bullock Cart Race on 23.01.2024 and the fourth respondent has passed the impugned rejection order on the ground that Thaipoosam Festival is being conducted at Sri Ramalinga Swamy Undanurai Sivakami Ambal Sri Nambi Singaperumal Temple, Panakudi Village, Tirunelveli District. Hence, the petitioner has come forward with the present Writ Petition.

4. Learned counsel for the petitioner would submit that permissions were granted for the conduct of Bullock Cart Race in the surrounding villages and the same were also conducted peacefully and hence, he sought for necessary direction to the third respondent to grant permission to conduct Bullock Cart Race on 23.01.2024.

5. Learned Additional Public Prosecutor appearing for the respondents 2 to 4 would submit that if permission is granted to conduct Bullock Car Race on 23.01.2024, it will cause great hardship to the devotees who assemble in large numbers during the Thai Poosam Festival.



W.P.(MD) No.1207 of 2024

WEB COPY

6. This Court find force in the submissions made by the learned Additional Public Prosecutor appearing for the respondents 2 to 4. Hence, we are not inclined to interfere with the impugned order passed by the fourth respondent. However, it is open to the petitioner to submit an application for conduct of Bullock Cart Race after completion of the Thai Poosam Festival and if any such application is made for conduct of the Race, the fourth respondent is directed to consider the same after affording an opportunity of hearing to the petitioner and pass appropriate orders on merits and in accordance with law.

7. With the above directions, 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

To

1.The District Collector,
Tirunelveli District.



W.P.(MD) No.1207 of 2024

WEB COPY

- 2.The Superintendent of Police,
Tirunelveli District.
- 3.The Deputy Superintendent of Police,
Valliyur Sub Division,
Tirunelveli District.
- 4.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.



WEB COPY



W.P.(MD) No.1207 of 2024

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

SJ

W.P.(MD) No.1207 of 2024

22.01.2024