



WP(MD)No.4969 of 2024

WEB COM BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2024

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.4969 of 2024

Ranjithkumar @ Pon Ranjithkumar

... Petitioner

/vs./

1.The District Collector

Office of District Collector,

Thanthoni, Karur District

2.The Superintendent of Police

Office of District Collector,

Thanthoni, Karur District

3. The Revenue Divisional Officer

Office of Revenue Divisional Office,

Kulithalai, Karur District

4. The Deputy Superintendent of Police,

O/o.Deputy Superintendent of Police,

Kulithalai, Karur District



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5. The Inspector of Police

Kulithalai Police Station, Kulithalai,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the entire records in connection with the impugned order passed by the fifth respondent vide proceedings Ref Na.Ka.No.07/Ka.Aa/Kulithalai, dated 28.02.2024 and quash the same and consequentially direct the respondents herein to grant a permission to conduct a Rekla Race/Horse Race/Cycle Race which is to be scheduled on 03.03.2024 (Sunday) between 9.30 AM to 5.30 PM at Kuttapatti Village to Iyermadai Village of Kulithalai Taluk Karur District.

For Petitioner	:	Mr.Niranjana S.Kumar
For R1 & R3	:	Mr.J.K.Jayaseelan Government Advocate (Criminal Side)
For R2, R4 & R5	:	Mr.T.Senthil Kumar Additional Public Prosecutor



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ORDER

When the case came up for hearing today (ie.01.03.2024), the learned Additional Public Prosecutor vehemently objected to the Petition stating that the Single Bench of this Court does not have jurisdiction to consider the request of the Petitioner. Therefore, he seeks dismissal of this Petition, directing the Petitioner to file Petition before the Hon'ble Division Bench of this Court.

2. The learned Additional Public Prosecutor produced copy of the orders of the Hon'ble Division Bench of this Court in ***W.P.(MD)No. 29471 of 2023 (Sujil Antony V. The District Collector, Thanjavur), dated 21.12.2023 and in W.P.(MD)Nos.2132, 2537 and 3449 of 2024 (Muruga Ganesan V. The District Collector, Collectorate Office, Theni District), dated 16.02.2024.*** After 16.02.2024, it is the contention of the learned Additional Public Prosecutor that the Rekla Race had been organized anywhere in Southern Region, which is disputed upon the learned Counsel for the Petitioner stating that this Court, before 16.02.2024, allowed the



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Writ Petition similar in nature in ***W.P.(MD)No.20289 of 2023 (Rajendran V. The Superintendent of Police, Sivagangai District), dated 29.08.2023.***

3. In the order of the Hon'ble Division Bench of this Court produced by the learned Additional Public Prosecutor, in ***W.P.(MD)Nos. 2132, 2537 and 3449 of 2024 (Muruga Ganesan V. The District Collector, Collectorate Office, Theni District),dated 16.02.2024,*** the discretionary power was granted to the District Collector to impose any condition, regarding the safety of the Animals involved and the safety of the riders involved, the safety of the public etc. In the light of the guidelines issued to the public authorities by the Hon'ble Division Bench of this Court, the impugned order passed by the Respondent Police is too late to consider whether this Court has discretionary power or otherwise.

4. Accordingly, the ***Writ Petition*** is disposed of with a direction to the Petitioner Organization to give a fresh representation today itself, without giving political colour as Organization. As there has been any political colour, the Petitioner has to file an undertaking affidavit to



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the District Collector. The District Collector and the Superintendent of Police, Karur District, shall pass appropriate orders on the fresh application on or before 06.00 pm, today (01.03.2024). No costs.

01.03.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes/ No

LS

Note: Issue order copy on **01.03.2024**

TO:

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Office of District Collector,
Thanthoni, Karur District.

2.The Superintendent of Police

Office of District Collector,
Thanthoni, Karur District.

3. The Revenue Divisional Officer

Office of Revenue Divisional Office,
Kulithalai, Karur District.



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SATHI KUMAR SUKUMARA KURUP, J.

LS

4. The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Kulithalai, Karur District.
5. The Inspector of Police
Kulithalai Police Station, Kulithalai,
Karur District
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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