



WP(MD). No.11264 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 22/05/2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

and

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP(MD). No.11264 of 2024

M.Ganesan

... Petitioner

Vs

**01.The Principal Secretary,
Animal and Husbandry Welfare Department,
Secretariat,
Chennai.**

**02.The Commissioner,
Animal and Husbandry Welfare Department,
Annasalai, Nandanam,
Chennai.**

**03.The District Collector,
Collectorate,
Sivagangai.**

**04.The Superintendent of Police,
Superintendent of Police,
Sivaganga – 630 562.**



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05.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

06.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

07.The Inspector of Police,
Thiruvegampathu Police Station,
Sivaganga – 630 048.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the third respondent to recommend the petitioner's village to the first and second respondents to include the Gazette Notification and permit the petitioner to conduct Vadamadu Manjuvirattu on 23.05.2024 as part of the temple festival of Arulmighu Shri Muthumariamman Temple Mulaipari function and Krishna Jeyanthi at Thirrukottai Village, Uruthikottai panchayat, Devakottai Taluk, Sivagangai District, based on the G.O(Ms)No.7 Animal Husbandry Dairying and Fisheries (AH3) Department, dated 21.01.2017 by considering the petitioner's representation dated 11.05.2024.

For Petitioner : Mr.R.Rajashkumar

For R-1 to R-6 : Mr.D.Gandhiraj,
Special Government Pleader

For R-7 : Mr.RMS.Sethuraman,
Additional Public Prosecutor



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ORDER

(Order of the Court was made by R.N.MANJULA, J)

Heard Mr.R.Rajeshkumar, learned counsel for the petitioner, Mr.D.Gandhiraj, learned Special Government Pleader for respondents 1 to 6 and Mr.RMS.Sethuraman, learned Additional Public Prosecutor for the seventh respondent.

2.This writ petition has been filed for a direction to the third respondent to recommend the petitioner's village to the first and second respondents to include in the Gazette Notification and permit the petitioner to conduct Vadamadu Manjuvirattu on 23.05.2024 as part of the temple festival of Arulmighu Shri Muthumariamman Temple Mulaipari function and Krishna Jeyanthi at Thirrukottai Village, Uruthikottai panchayat, Devakottai Taluk, Sivagangai District, based on the G.O(Ms)No.7 Animal Husbandry Dairying and Fisheries (AH3) Department, dated 21.01.2017 by considering the petitioner's representation dated 11.05.2024.



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3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. Earlier another writ petitioner has been filed in W.P(MD)o.12188 of 2023 by the then President of the village seeking a direction to recommend the petitioner's village to include in the Gazette Notification and to permit them to conduct Vadamadu Manjuvirattu. In the said writ petition, the following order has been passed, vide order dated 17.05.2023:

“6. Considering the above facts and circumstances, we are of the view that the petitioner's village shall be permitted to conduct the said event on par with other villages in the Gazette Notification. Learned counsel for the petitioner submitted that for this year, Vadamadu Manjuvirattu is scheduled to be held during the month of June 2023. Considering the fact that the event of Vadamadu Manjuvirattu is conducted from time immemorial and the fact that the petitioner's village is not included in the Gazette Notification while other villages have been included, we are of the view that the Petitioner's village shall be granted permission to conduct the "Vadamadu Manjuvirattu", till



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the issuance of G.O in this regard. Therefore, we direct the third respondent/District Collector, Sivagangai District, to pass orders on the representation of the Petitioner permitting the petitioner to conduct Vadamadu Manjuvirattu event subject to the other conditions, till the Government Order in this regard is issued by the Government. Such an exercise shall be completed within a period of ten days from the date of receipt of a copy of this order.”

5. But, it appears that the said direction has not been complied with and hence, this year the petitioner has filed this writ petition seeking a direction to grant permission to conduct ‘Vadamadu Manjuvirattu’ on 23.05.2024. When a direction has been given to consider the writ petitioner's representation and to include the petitioner's village in the Gazette Notification, the respondents ought to have taken a decision before commencement of the festival.

6. However, the learned Special Government Pleader submitted that the process of considering the petitioner's request to include their village name in the Gazetter Notification is still pending.



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7. In such case, it is appropriate for the first respondent to consider the case of the petitioner to grant permission as how it has been granted during the earlier years and pass appropriate orders forthwith in the event of the petitioner's submission of the application through online with relevant documents,.

8. With the above direction, this writ petition is **disposed of**.

No costs.

(R.N.M, J.) (C.K.,J.)
22.05.2024

NCC : Yes/No
Index : Yes/No

NOTE: Issue Order copy on 22.05.2024

PM



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