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W.P.(MD)NO.24831 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.24831 of 2025 AND

W.M.P.(MD)No.19518 of 2025

1. K.Alaguraj,
Secretary,
Devendra Kula Velalar Uravin Murai,
Anaikkaraipatti, Peraiyur Taluk,
Madurai District – 625 705.

2. People of Uchampatti Village,
Rep. By Kannan,
Thirumangalam Taluk,
Madurai District.

... Petitioners

Vs.

1. The District Collector,
Madurai District Collectorate,
Madurai – 625 020.

2. The Superintendent of Police,
O/o.the Superintendent of Police,
Madurai District – 625 020.

3. The General Manager,
Tamil Nadu State Transport Corporation (Madurai Division),
Madurai – 625 002.

4. The Manager (Commercial),
Madurai (South) Region,
Palanganatham,
Madurai – 625 010.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the official respondents 1 to 4 to consider the petitioner's representations dated 23.08.2025 and 04.09.2025 and consequently directing the respondents 3 and 4 to allot two buses for the people of Annaikkarapatti and one bus for the people of Uchampatti on 11.09.2025 for the said Guru Pooja function.

For Petitioner : Mr.C.Selvakumar

For R-1 : Mr.M.Lingadurai,
Special Government Pleader.

For R-2 : Mr.A.Albert James,
Government Advocate.

For R-3 & R-4 : Mr.S.C.Herold Singh

* * *

ORDER

Heard both sides.

2. The petitioners have approached the third respondent for hiring two buses. The stand of the third respondent is that unless clearance is obtained from the District Collector, they won't be able to spare the same.



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3. The learned Standing counsel appearing for the Transport Corporation states that they are constrained to take such a stand in view of the promulgation of prohibitory order under Section 163 of BNSS.

4. The function in which the petitioners want to participate is a public function which has acquired certain social significance also. The petitioners' right to participate in the said function cannot be denied. I am also of the view that in such matters, clearance of the District Collector is not necessary.

5. I can also understand as to why, this writ petition has been filed. The District Administration has prohibited the plying of private taxies on the occasion.

6. The petitioners informed the Court that they would abide by any condition that may be stipulated by the Transport Corporation. The learned Standing counsel states that for each vehicle given by them on hire, they may need police protection. The



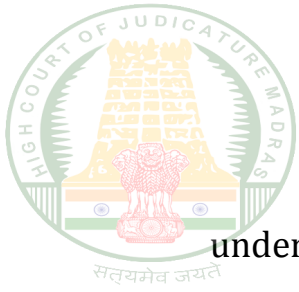
petitioners are willing to bear cost of the same.

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7. I therefore direct the second respondent to spare a police constable each for the buses to be hired by the petitioners from the third respondent. Even though on account of the pucca arrangement made by the police as well as the revenue authorities, no untoward incident is anticipated. Still if the buses lent on hire by the Corporation suffered some damage, it is entirely the liability of the writ petitioners to make good the same.

8. This writ petition stands allowed only because the petitioners herein have come forward to give such an undertaking before this Court through their counsel.

9. Considering the special facts and circumstances, I direct the respondents 3 and 4 to spare two public buses for the writ petitioners so as to enable them to attend the petition mentioned event along with their fellow villagers. The petitioners assure this Court that none of the passengers will carry any weapon with them. Accompanying police must ensure this. The petitioners further



undertake before this Court that the buses will not be overloaded beyond the seating capacity. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

10.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 10.09.2025.

To:

1. The District Collector,
Madurai District Collectorate,
Madurai – 625 020.
2. The Superintendent of Police,
O/o.the Superintendent of Police,
Madurai District – 625 020.



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G.R.SWAMINATHAN,J.

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