



W.P.(MD) No.1964 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.1964 of 2023

and

W.M.P.(MD)No.1735 of 2023

P.Ganesan

... Petitioner

Vs.

- 1.The District Collector,
Theni District,
Theni.
- 2.The Superintendent of Police,
Theni District,
Theni.
- 3.The District Revenue Officer,
Collector Office,
Theni District.
- 4.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,



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Uthamapalayam Taluk,
Theni District.

5.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

6.Arulmigu Elaikathamman Temple,
Rep. by its Poosari,
M.Sembuli

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the official respondents to appoint a retired District Judge for the celebration of the Valladikaraswami Jallikattu at Pallavarayanpatti Village, Uthamapalayam Taluk, Theni District schedule on 12.02.2023 for giving full opportunity to the bull owners and the cowherds (மாடுபிடி வீரர்கள்) and the equal distribution of the prizes given by the sponsors based on the petitioner's representation dated 20.01.2023, within the period stipulated by this Court.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.P.Thilak Kumar,
Government Pleader for R1 & R3 to R5
Mr.Manikandan,
Govt. Advocate (Crl.side) for R2
Mr.Jerin Mathew,
for Mr.R.S.Pandiyaraj for R6
Mr.Varun Pandian for proposed R7



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ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the official respondents to appoint a retired District Judge for the celebration of the Valladikaraswami Jallikattu at Pallavarayanpatti Village, Uthamapalayam Taluk, Theni District schedule on 12.02.2023 for giving full opportunity to the bull owners and the cowherds (மாடுபிடி வீரர்கள்) and the equal distribution of the prizes given by the sponsors, based on the petitioner's representation dated 20.01.2023.

2. It is stated in the affidavit that the Village Nattamai and Village Poosari have collected huge amount for conducting Jallikattu event. Further, it is stated that 100 bulls are allowed from the petitioner's village and the remaining 500 bulls from other villages. This year only 20 free tokens are given to the bull owners and the remaining 80 tokens are sold in the open market by collecting Rs.3,000/- to Rs.5,000/- per token. On the aforesaid allegations, the petitioner has filed this Writ petition seeking for the aforesaid relief.



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3. The learned Government Pleader appearing for the respondents 1 and 3 to 5 submitted that for conducting Jallikattu event tokens are issued only through online and the petitioner without having any substantial materials to prove that the tokens are sold in the open market, making such false allegations. He further submitted that the office of the District Collector on 09.01.2023 constituted a Divisional Level Committee to conduct the Jallikattu on 12.02.2023 at Pallavarayanpatti as per the standard Operating procedures. He has produced the counter affidavit filed by the District Collector, dated 08.02.2023, wherein, in paragraph No.7, it is stated as follows:

“7. I respectfully submit that 20 points Standard Operating Procedures have been issued by the Government for strict adherence by Organising Committee and the same will be adhered as mentioned in the above Government letter of the principal Secretary to the Government in the Animal Husbandry, Diary, Fisheries & Fishermen Welfare Department D.O.Letter No.3813954/AH3/2022-1, dated 29.12.2022.

I humbly submit that the Festival Committee constituting of 23 committee members are organizing and conducting the Jallikattu events under the monitoring of the District Level Supervising Committee including this office of (i) the District Collector (Head),



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(ii) the Superintendent of Police (Member), (iii) District Revenue Officer (Member), (iv) Project Director of Rural Development (Member), (v) The Regional Joint Director of Animal Husbandry (Member), (vi) The Joint Director of Public Health (Member), (vii) The Executive Engineer – PWD (Member), (viii) The District Officer of Fire Safety and Rescue Department (Member) and (ix) Assistant Director – Panchayat (Member). Thereafter, after decision by the said District Level Committee, this The learned Government Pleader appearing for the respondents 1 and 3 to 5 submitted that tokens are issued through online for conducting Jallikattu event and the petitioner without having any substantial materials to prove that tokens are soled in the open market, making such false allegations. He further submitted that the office of the District Collector on 09.01.2023 constituted a Divisional Level Committee to conduct the Jallikattu on 12.02.2023 at Pallavarayanpatti as per the standard Operating procedures.”

4. In view of the statement made in the counter affidavit, we are of the view that there is no substance in the said writ petition and therefore, this Writ petition is liable to be dismissed.



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5. Accordingly, this Writ Petition is dismissed. It is open to the petitioner to apply through online for participating in Jallikattu event, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [L.V.G., J.]
09.02.2023

NCC : Yes / No
Index : Yes / No
vsm



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