



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.15919 of 2017

WEB COPY

V.Subbiramaniyan

... Petitioner

-Vs-

1.The State rep.
The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

... Respondents

(2nd respondent impleaded as per order dated 24.08.2017
in WMP(MD).No.12856 of 2017)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certioraified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.34/Po.Io/Po.St/2017 dated 14.08.2017 and quash the same as illegal, consequently, direct the respondent to permit the petitioner to conduct "Nachan Kantru Kalai Eruthu Kattu Thiruvizhala" on 30.08.2017 during the conducting festival of "Arulmigu Udaiyar Udaiyar Ayyanar Temple", Agaram, P.Kodikulam Post, Paramakudi Taluk, Ramanathapuram District.

For Petitioner : Mr.K.Veilmuthu

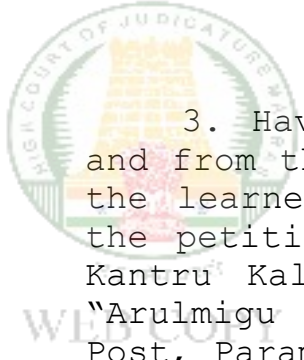
For Respondents : Mr.S.Sadhishkumar

Additional Government Pleader.

O R D E R

This Writ petition has been filed to call for the records pertaining to to issue a Writ of Certioraified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.34/Po.Io/Po.St/2017 dated 14.08.2017 and quash the same as illegal, consequently, direct the respondent to permit the petitioner to conduct "Nachan Kantru Kalai Eruthu Kattu Thiruvizhala" on 30.08.2017 during the conducting festival of "Arulmigu Udaiyar Udaiyar Ayyanar Temple", Agaram, P.Kodikulam Post, Paramakudi Taluk, Ramanathapuram District.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.



3. Having regard to the facts and circumstances of the case and from the facts narrated by the petitioner and the arguments of the learned counsel appearing for the petitioner it appears that the petitioner wants to conduct the programme titled as "Nachan Kantru Kalai Eruthur Kattu Thiruvizha", during the festival of "Arulmigu Udaiyar Udaiyar Ayyanar Temple", Agaram, P.Kodikulam Post, Paramakudi Taluk, Ramanathapuram District.

4. It is contended that the said festival to be conducted by the villagers is not the one, which is similar to "Eru Thaluvathal or Jallikattu" or other game, which attracts the provisions of the Prevention of Cruelty to Animals Act, 1960 (Central Act 59 / 1960).

5. In the said circumstances, the learned counsel appearing for the petitioner is directed to advise the petitioner and the villagers to explain the nature of the event, proposed to be conducted by the petitioner, to the first respondent Police for consideration of the grant of permission, after specifying that the petitioner's programme does not attract the provisions of the Central enactment viz., Prevention of Cruelty to Animal Act, 1960 (Central Act 59 / 1960), as amended by the Prevention of Cruelty to Animals (Tamil Nadu Amendment) Ordinance, 2017. Upon considering the same, it is open to the respondents to grant permission to the petitioner to conduct the "Nachan Kantru Kalai Eruthu Kattu Thiruvizha" as scheduled subject to any reasonable restrictions or conditions so as to maintain law and order and communal harmony.

6. With the above direction, the Writ Petition is disposed of.

Sd/-

Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar.

To

1.The State rep. The Inspector of Police,
Thirupalaikudi Police Station, Ramanathapuram District.

2.The District Collector,Ramanathapuram District,
Ramanathapuram.

+1CC to Mr.K.Veilmuthu, Advocate, SR.No. 74723

+1CC to the Special Government Pleader SR.No. 74810

W.P. (MD) No.15919 of 2017