



WEB COPY

W.P(MD)Nos.526, 650, 710, 807, 808, 809 and 560 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)Nos.526, 650, 710, 807, 808, 809 and 560 of 2020

and

W.M.P(MD)Nos.483, 485, 584, 587, 585, 586 and 422 of 2020

W.P(MD)No.526 of 2020:

S.T.Kalyanasundram

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Superintendent of Police,
O/o Superintendent of Police,
Madurai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to reconstitute the Jallikattu Vizha Committee at the Village level comprising the representatives of all communities at Avaniyapuram for the Jallikattu to be conducted on 15.01.2020 at Avaniyapuram.

For Petitioner : M/s.A.Rajini

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader
* * * * *

W.P(MD)No.650 of 2020:

M.Ramasamy

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai-625 020.



2.The Revenue Divisional Officer,
Melur Sub Division,
Madurai District.

3.The Tahsildar,
Madurai South,
Madurai District.

4.The Commissioner of Police,
Madurai City,
Madurai-625 002.

5.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City,
Madurai-625 012.

6.A.K.Kannan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned proceedings of the first respondent in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and quash the same as illegal and consequently direct the first respondent to permit the village people of Avaniyapuram through its village committee to conduct the Jallikattu on 15.01.2020 by considering the petitioner's representation dated 18.12.2019.

For Petitioner : Mr.A.Kannan

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader for R.1 to R.5

Mr.Veerakathiravan
Senior Counsel for R.6

* * * * *

W.P(MD)No.710 of 2020:

S.P.Tamilahilan @ Pushbakaran

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.



2.The Commissioner of Police,
O/o the Commissioner of Police,
Madurai City.

3.The Revenue Divisional Officer,
Madurai District,
Madurai.

4.The Tahsildar,
Madurai South,
Madurai District.

5.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to reconstitute the "Avaniyapuram Jallikattu Festival Committee" in Avaniyapuram Jallikattu to be held on 15.01.2020 and include the petitioner's name as a representative of Scheduled Caste-Arunthathiyar Community in that committee by considering his representation 02.01.2020 within the time frame stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader

* * * * *

W.P(MD)No.807 of 2020:

S.Pitchai

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Melur Sub Division,
Madurai District.

3.The Tahsildar,
Madurai South,
Madurai District.



4.The Commissioner of Police,
Madurai City, Madurai-2.

5.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City,
Madurai-625 012.

6.A.K.Kannan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings of the first respondent in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and quash the same as illegal and consequently direct the first respondent to reconstitute Avaniyapuram Jallikattu Festival Committee including the petitioner as one of the member.

For Petitioner : Mr.TM.Sridharan

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader for R.1 to R.5

Mr.Veerakathiravan
Senior Counsel for R.6

* * * * *

W.P(MD)No.808 of 2020:

Chokkesh

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur Sub-Division,
Madurai District.

3.The Tahsildar,
Madurai South,
Madurai District.

4.The Commissioner of Police,
Madurai City.



5.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

6.A.K.Kannan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned proceedings of the first respondent in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and quash the same.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader for R.1 to R.5

Mr.Veerakathiravan
Senior Counsel for R.6

* * * * *

W.P(MD)No.809 of 2020:

A.Mayandi

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur Sub-Division,
Madurai District.

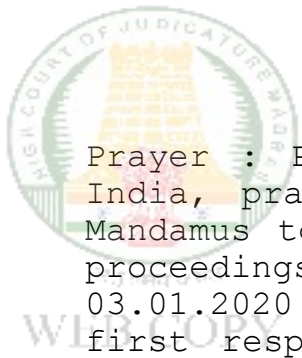
3.The Tahsildar,
Madurai South,
Madurai District.

4.The Commissioner of Police,
Madurai City,
Madurai-2.

5.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City,
Madurai-625 012.

6.A.K.Kannan

... Respondents



Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned proceedings of the first respondent in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and quash the same as illegal and consequently direct the first respondent to reconstitute Avaniyapuram Jallikattu Festival Committee including the petitioner as one of the member.

For Petitioner : Mr.K.Sivabalan

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader for R.1 to R.5

Mr.Veerakathiravan
Senior Counsel for R.6

* * * * *

W.P(MD)No.560 of 2020:

P.Ranjith ... Petitioner
Vs.

- 1.The District Collector,
Madurai & District.
- 2.The District Revenue Officer,
O/o District Revenue Officer,
Madurai & District.
- 3.The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Madurai & District.
- 4.The Tahsildar,
Madurai South Taluk,
Madurai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to take stringent actions to implement the regulations in respect of the Jallikattu and to take steps to curtail allowing the large numbers of bulls for Jallikattu by considering the petitioner's representation dated 18.12.2019 within a time that may be stipulated by this Court.



WEB COPY

W.P(MD)Nos.526, 650, 710, 807, 808, 809 and 560 of 2020

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.K.Chellapandian
Additional Advocate General, assisted by
Mr.VR.Shanmuganathan
Special Government Pleader

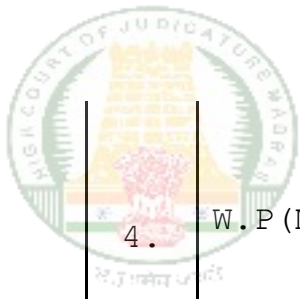
COMMON ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The present batch of writ petitions relates to the conduct of Avaniyapuram Jallikkattu Festival scheduled to be held on **15.01.2020** on the day of Pongal Festival, 2020.

2. The District Collector, Madurai District, had conducted a Peace Committee Meeting with regard to the smooth conduct of the Jallikkattu Festival at Avaniyapuram Village based on the suggestions/objections received from various parties concerning the conduct of Jallikkattu Festival on the occasion of Pongal Festival, 2020 and after considering the same, the District Collector, Madurai District, by his proceedings in Na.Ka.No.53264/2019/C3, dated 03.01.2020, passed certain resolutions for the conduct of Jallikkattu Festival in a peaceful manner. Aggrieved over the same, some of the parties have moved this Court with the present writ petitions seeking the following reliefs:

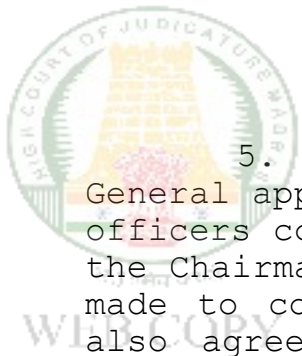
Sl.N o.	Case No.	Prayer
1.	W.P(MD)No.526 of 2020	To reconstitute the Jallikkattu Vizha Committee.
2.	W.P(MD)No.650 of 2020	To quash the proceedings of the District Collector, Madurai District in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and to direct the District Collector to permit the village people of Avaniyapuram through its Village Committee to conduct the Jallikkattu Festival on 15.01.2020.
3.	W.P(MD)No.710 of 2020	To reconstitute Avaniyapuram Jallikkattu Festival Committee and to include the name of the petitioner as a representative of Scheduled Caste - Arunthathiyar Community.



4.	W.P(MD)No.807 of 2020	To quash the proceedings of the District Collector, Madurai District, in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and to direct the District Collector to reconstitute Avaniyapuram Jallikkattu Festival Committee including the petitioner as one of the members.
5.	W.P(MD)No.808 of 2020	To quash the proceedings of the District Collector, Madurai District, in Na.Ka.No.53264/2019/C3, dated 03.01.2020.
6.	W.P(MD)No.809 of 2020	To quash the proceedings of the District Collector, Madurai District, in Na.Ka.No.53264/2019/C3, dated 03.01.2020 and to direct the District Collector to reconstitute Avaniyapuram Jallikkattu Festival Committee including the petitioner as one of the members.
7.	W.P(MD)No.560 of 2020	To direct the respondents to take stringent actions to implement the Regulations in respect of Jallikkattu and take steps to curtail permission for allowing large number of bulls for Jallikattu, by considering the representation of the petitioner dated 18.12.2019.

3. Heard the submissions of the respective learned Counsel for the petitioners, Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the State and Mr.Veera Kathiravan, learned Senior Counsel appearing for the private respondent.

4. It is brought to our notice that in the year 2019, when a similar difference of opinion arose among the parties concerning the conduct of Avaniyapuram Jallikkattu Festival, many writ petitions were filed before this Court in W.P(MD)Nos.212, 211, 351 of 2019 and 24983 of 2018 [**K.M.Thiruppathy v. The Chief Secretary to Government of Tamil Nadu and others**] and the Honourable Division Bench of this Court entertained the same and by order dated 10.01.2019, formed two Committees, viz., Jallikkattu Organizing Committee and Advisory Committee, to regulate the conduct of Jallikattu Festival at Avaniyapuram, on the day of Pongal Festival and all the parties unanimously agreed for the terms imposed by this Court and conducted the Jallikattu Festival in a peaceful manner and the parties concerned filed their respective reports before this Court as directed therein. Therefore, the learned Counsel appearing on either side, on instructions, submitted that the same measure may be adopted for conducting the Avaniyapuram Jallikattu Festival for this



5. Further, Mr.K.Chellapandian, learned Additional Advocate General appearing for the State, on instructions, submitted that the officers concerned have already formed a Committee of Officers under the Chairmanship of Revenue Divisional Officer and arrangements were made to conduct the event without any kind of problem. They have also agreed for the suggestion for appointment of an Organizing Committee. The District Collector and the Commissioner of Police were called upon to offer their suggestions for the smooth conduct of the event.

6. In view of the consensus arrived at among the parties concerned, we are inclined to form the following two Committees to organise and advise for the smooth conduct of the Jallikattu Festival at Avaniyapuram on **15.01.2020**:

THE JALLIKATTU ORGANIZING COMMITTEE: (JOC)

6.1. The following are appointed as the Chairman and Members of the Organizing Committee:

- (i) Thiru.C.Manickam, Retired Principal District Judge, (Mobile No.80984 78135) - **Chairman**;
- (ii) The District Collector, Madurai District - **Member**;
- (iii) The Commissioner of Police, Madurai City - **Member**
- (iv) The Commissioner, Madurai Corporation, Madurai - **Member**

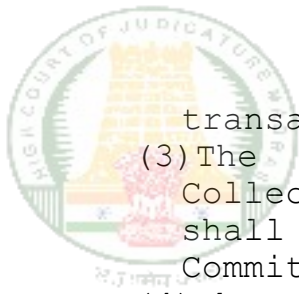
ADVISORY COMMITTEE:

6.2. The Advisory Committee to assist the Organizing Committee would comprise the following residents of Avaniapuram:

- 1. A.K.Kannan
- 2. Ramasamy
- 3. O.Periyasamy
- 4. Pitchai
- 5. Mayandi
- 6. Chokkesh
- 7. Packiyam
- 8. Anbarsan
- 9. Karuppiah
- 10. Ilanchezian
- 11. Thirumalairajan
- 12. Muniyasamy
- 13. Selvakumar
- 14. Subramanian
- 15. Kalyanasundaram
- 16. Karthick

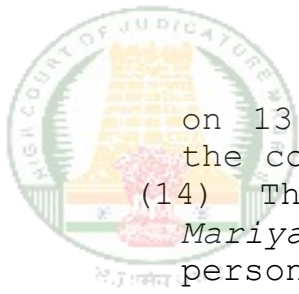
and accordingly, we issue the following directions:

- (1) The Jallikattu for this year would be conducted by the Organizing Committee;
- (2) The Organizing Committee shall open bank accounts in any of the banks at Madurai and Avaniapuram for deposit of donation/contribution for the conduct of Jallikattu. The Committee shall give receipts for the payments received and similarly, they must keep proper accounts of all the



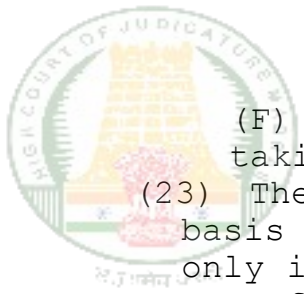
transactions in connection with the conduct of Jallikattu;

- (3) The District Level Committee constituted by the District Collector under the Chairmanship of Revenue Divisional Officer shall give all the necessary assistance to the Organizing Committee;
- (4) The Organizing Committee should ensure that the event is conducted in an orderly manner;
- (5) The District Administration and Police must provide all the assistance at the (i) Point of entry of Bulls; (ii) medical examination point of bulls; (iii) Vadi Vasal Point; and (iv) Bulls collection point;
- (6) There should be sufficient space for stationing the bulls and it must be ensured that the bulls are medically examined before taking part in the event;
- (7) The Commissioner of Police and the Superintendent of Police must post sufficient police officers under the control of a Deputy Superintendent of Police in the following points: (i) Main assembly point of bulls. (ii) The area from main Assembly point to the Medical Examination Centre. (iii) Medical Centre for bulls. (iv) Pookkara Street. (v) Vadi Vasal Backside. (vi) Bulls trainers checking point;
- (8) The District Committee constituted by the District Collector must comprise the following: 1. Revenue Divisional Officer, Melur 2. Assistant Commissioner of Police, Thirupparankundram 3. Assistant Commissioner, Region-IV, Madurai Corporation, Madurai 4. Deputy Director (Health) Madurai 5. Regional Deputy Director, Animal Husbandry Department, Madurai 6. Executive Engineer (Building and Maintenance) Public Works Department, Madurai 7. Joint Commissioner, Hindu Religious and Charitable Endowments Department, Madurai. 8. Regional Fire and Rescue Officer, Madurai 9. District Tourist Officer, Madurai;
- (9) The Organizing Committee must ensure that the stage is not occupied by the members of the Advisory Committee or others on any account;
- (10) The role of Advisory Committee is only to assist the Organizing Committee. They have no independent right to conduct the Jallikattu;
- (11) The Organizing Committee shall give a press release informing the public not to give donation to any of the public including the Organizers, who were part of the event earlier. The donation should be given only to the members of the Organizing Committee;
- (12) The Commissioner of Police shall post a superior officer not below the rank of an Additional Deputy Commissioner of Police at the site for co-ordination with the Organizing Committee. Similarly, the District Collector must also depute a senior officer in the rank of a District Revenue Officer to assist the Organizing Committee. This would be in addition to the District Level Committee constituted by the District Collector;
- (13) The District Collector shall convene a meeting of the Organizing Committee, Revenue and Police officials preferably



on 13.01.2020 and not later than 14.01.2020 to discuss about the conduct of Jallikattu;

- (14) There should not be any kind of first right (*Mudal Mariyathai*) either to the bull or its owner or to any other person;
- (15) The members of the Organizing Committee must be given the required police protection by the Commissioner of Police and the Superintendent of Police by assessing the security aspect;
- (16) Sufficient police force must be mobilized to give security to the place of event;
- (17) The Committee is at liberty to evolve its own method for the smooth conduct of the event;
- (18) The Organizing Committee is at liberty to engage personnel for assistance;
- (19) The Jallikattu Organizing Committee shall conduct the event strictly in accordance with the provisions of the Tamil Nadu Prevention of Cruelty to Animals (Conduct of Jallikattu) Rules, 2017;
- (20) The entire event shall be video-graphed and the same shall be produced before the Registry of this Court along with a report;
- (21) The District Collector shall carry out the mandate of the Statute and more particularly, the following:
- (i) The bulls are put to proper test by the authorities of Animal Husbandry Department and must ensure that no performance drugs irritant or similar substances are administered to the bulls in any form.
- (ii) Must ensure that the bulls are free from any kind of diseases and not intoxicated or administered with any kind of substance with the object of making them more aggressive or ferocious.
- (22) (A) The Jallikattu Organizing Committee, in association with the official committee constituted by the District Collector must ensure the veterinary examination of bulls by the qualified Veterinarian of Animal Husbandry Department. The Jallikattu Organizing Committee must also see that there is no alcohol abuse and that the animals are not subjected to any such abuse;
- (B) The arena, its area and the protected area must be maintained in accordance with the Rules;
- (C) The bull run area should be protected by putting up strong double barricade and it should function as a wall to separate the gallery from the area;
- (D) The bull collection yard should be maintained in association with the bull owners;
- (E) The gallery for the spectators must be inspected and certified by the officials of the Public Works Department, who are part of the District Level Committee formed by the District Collector;



- (F) The area should be barricaded with sufficient height, taking into account the prescription under the Rules;
- (23) The composition of the Advisory Committee is not on the basis of any communal status and we have selected these members only in the interest of conducting the Jallikattu Festival in a peaceful manner;
- (24) The District Collector shall provide one vehicle to the Chairman and another to the members of the Committee from the common pool of vehicles. He should also arrange accommodation for the Chairman of the Committee in the Circuit House at Madurai;
- (25) The Commissioner of Police is directed to provide Personal Security Officers to the Chairman and other Members from 13.01.2020 till the completion of the event;
- (26) The District Collector shall permit the Committee to convene a meeting in the Conference Hall of the Collectorate. The District Collector must ensure that a camp office is given to the Committee Members preferably near the venue;
- (27) The donation for the event shall be taken only by the Organizing Committee. The Members of the Advisory Committee shall assist the Organizing Committee members for collection of the amount and for its deposit before the concerned bank;
- (28) The Organizing Committee must ensure that flex boards or advertising materials of any kind are not put up anywhere near the venue or its enroute. The party flags or any other materials either projecting the name of political parties or its leaders or communal organisation and its leaders should not be exhibited anywhere near the venue. The police shall remove all such materials and shall act in accordance with the direction of the Organizing Committee in this behalf.
- (29) We make it clear that this arrangement is only for the Jallikattu on **15.01.2020**. There would be no equity in favour of any of the Advisory Board members on account of their participation as a Member of the Committee. Similarly, there would not be any right to them to claim at a later point of time that they were earlier involved in the Jallikattu, as this arrangement is purely temporary;
- (30) We also make it clear that this arrangement is made, in view of the dispute between several factions in connection with the conduct of Jallikattu and taking into account the possible law and order problem in the area, in case the issue is not settled amicably. This order should not be construed to be an expression of opinion on the conduct of Jallikattu earlier or the allegations made against each other by the parties;
- (31) In addition to the above, the official respondents shall strictly adhere to the Rules and Regulations for the Conduct of Jallikattu Events vide G.O.(Ms)No.7, Animal Husbandry Dairying and Fisheries (AH3) Department, dated 21.01.2017 as well as the Procedures for Conduct of Jallikattu in Tamil Nadu vide communication of the Principal Secretary to Government, Animal



Husbandry, Dairying and Fisheries Department, Secretariat, Chennai - 600 009, in D.O.Letter No.19900/AH3/2019, dated 24.12.2019 and the Standard Operating Procedure (SOP) appended thereto, stating the role of the Departments concerned to ensure safe conduct of Jallikkattu events, as well.

(32) The District Collector, Madurai District, shall pay a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) towards remuneration to the Chairman of the Jallikkattu Organizing Committee within a period of one week, from and out of the donation/contribution received by the Committee for the conduct of Jallikkattu;

(33) The District Collector, Madurai District, the Commissioner of Police, Madurai City, and the Organizing Committee shall file their individual reports after the event before the Registry of this Court.

7. With the above directions, all the writ petitions are disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rsb/ssl

To

1.Mr.C.Manickam,
Principal District Judge (Retd.,)
G1/4A, Onyx, Green Port Main Road,
Jeganathapuram,
Medavakkam,
Chennai - 600 100.
[Mobile No.80984 78135].

2.The District Collector,
Madurai District,
Madurai.

3.The Superintendent of Police,
O/o Superintendent of Police,
Madurai District.

4.The Revenue Divisional Officer,
Melur Sub Division,
Madurai District.



5.The Tahsildar,
Madurai South,
Madurai District.

6.The Commissioner of Police,
Madurai City,
Madurai-625 002.

7.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City,
Madurai-625 012.

8.The Revenue Divisional Officer,
Madurai District,
Madurai.

9.The District Revenue Officer,
O/o District Revenue Officer,
Madurai & District.

10.The Commissioner, Madurai Corporation, Madurai.

+1 CC to M/s.A.RAJINI, Advocate SR-1656
+2CC TO MR.K.SIVABALAN, Advocate Sr. No. 1784
+1CC TO MR.T.Thirumurugan, Advocate Sr. No. 1659
+2CC TO MR.A.KANNAN, Advocate Sr. No. 1687
+1CC TO M/s.VEERA ASSO., Advocate Sr. No. 1639
+1CC TO M/s.RIGHT LAW ASSO., Advocate Sr. No. 1622

W.P (MD) Nos. 526, 650, 710, 807,
808, 809 and 560 of 2020

and
W.M.P (MD) Nos. 483, 485, 584, 587,
585, 586 and 422 of 2020
13.01.2020

MR (CO)
TR (13.01.2020) 14P 19C