



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.901 of 2020

S.Muthukumar

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

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

3.The Superintendent of Police,
Madurai Rural District,
Madurai - 625 007.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents herein to permit the registered bulls and bull tamers by selecting them through computerized lot system to give equal opportunity to the bulls and bull tamers to take part in the Jallikattu events and to replace the bulls, bull tammers on every intervals by considering the petitioner's written representation dated 01.02.2019 in accordance with law.

For Petitioner : Mr.A.Kannan

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

ORDER

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

The petitioner has filed the above writ petition seeking a Writ of Mandamus to direct the respondents herein to permit the registered bulls and bull tamers by selecting them through computerized lot system to give equal opportunity to the bulls and bull tamers to take part in the Jallikattu events and to replace the bulls, bull tammers on every intervals by considering the petitioner's written representation dated 01.02.2019 in accordance



with law.

2. Heard the submissions of the learned Counsel for the petitioner and Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the State.

3. Though the petitioner has filed the above writ petition seeking to conduct the Jallikattu Events at Avaniyapuram, Alanganalur and Palamedu, by selecting the registered bulls and bull tamers through computerized lot system, since we have already disposed of similar writ petitions in respect of conduct of Jallikattu Events at Avaniyapuram and Alanganallur, we are inclined to pass the following order only in respect of conduct of Jallikattu at Palamedu scheduled to be held on 16.01.2020.

4. It is brought to the notice of this Court by the learned Additional Advocate General appearing for the State that a Committee has been formed in the name of "Grama Pothu Mahalinga Swamy Madathu Committee" for conducting Jallikattu at Palamedu on 16.01.2020. It is also brought to the notice of this Court that the very same Committee had conducted the Jallikattu at Palamedu in the year 2019 also. Further, it was informed by the learned Additional Advocate General that the tenure of the said Committee shall be for a period of three years and that the Committee is not only assigned for conducting Jallikattu, but also for other works including development activities at Palamedu. In these circumstances, the learned Additional Advocate General appearing for the State submitted that the said Committee would conduct the Jallikattu at Palamedu which can be supervised by the Jallikattu Organizing Committee to be formed by this Court.

5. In view of the consensus arrived at among the parties concerned, we are inclined to form the following Committee to organise and supervise/ensure the smooth conduct of the Jallikattu Festival at Palamedu on **16.01.2020**:

THE JALLIKATTU ORGANIZING COMMITTEE: (JOC)

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 Inspector General of Police, South Zone, Madurai - **Member**

(iv) The Assistant Director of Town Panchayats,
Palamedu Town Panchayat - **Member**

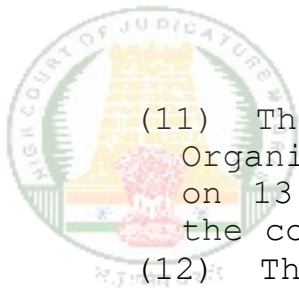
and accordingly, we issue the following directions:

(1) The Jallikattu for this year would be conducted by the "Grama Pothu Mahalinga Swamy Madathu Committee" under the supervision



of Organizing Committee;

- (2) The Organizing Committee shall open bank accounts in any of the banks at Madurai and Palamedu 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 Organizing Committee should ensure that the event is conducted in an orderly manner;
- (4) 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;
- (5) 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;
- (6) The Inspector General of Police, South Zone, Madurai and the Superintendent of Police, Madurai District, 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) Vadi Vasal Backside. (v) Bulls trainers checking point;
- (7) The District Committee constituted by the District Collector must comprise the following: 1. Revenue Divisional Officer, Madurai, 2. Additional Superintendent of Police, Madurai, 3. Executive Officer, Palamedu Town Panchayat, 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;
- (8) The Organizing Committee must ensure that the stage is not occupied by the members of the Advisory Committee or others on any account;
- (9) 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;
- (10) The Superintendent of Police shall post a superior officer not below the rank of a Deputy Superintendent 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;



- (11) The District Collector shall convene a meeting of the Organizing Committee, Revenue and Police officials preferably on 13.01.2020 and not later than 15.01.2020 to discuss about the conduct of Jallikattu;
- (12) There should not be any kind of first right (*Mudal Mariyathai*) either to the bull or its owner or to any other person;
- (13) The members of the Organizing Committee must be given the required police protection by the Superintendent of Police by assessing the security aspect;
- (14) Sufficient police force must be mobilized to give security to the place of event;
- (15) The Committee is at liberty to evolve its own method for the smooth conduct of the event;
- (16) The Organizing Committee is at liberty to engage personnel for assistance;
- (17) 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;
- (18) The entire event shall be video-graphed and the same shall be produced before the Registry of this Court along with a report;
- (19) 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.
- (20) (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;

- (21) 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;
- (22) The Superintendent 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;
- (23) 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;
- (24) The donation for the event shall be taken only by the Organizing Committee. The Members of the "Grama Pothu Mahalinga Swamy Madathu Committee" shall assist the Organizing Committee members for collection of the amount and for its deposit before the concerned bank;
- (25) 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;
- (26) We make it clear that this arrangement is only for the Jallikattu on **16.01.2020**. There would be no equity in favour of any of the members of "Grama Pothu Mahalinga Swamy Madathu Committee" 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;
- (27) We also make it clear that this arrangement is made in order to avoid any law and order problem and also for the smooth conduct of Jallikattu at Palamedu;
- (28) In addition to the above, the official respondents shall strictly adhere to the Rules and Regulations for the Conduct of Jallikkattu 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 Jallikkattu 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.



(29) 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;

(30) The District Collector, Madurai District, the Inspector General of Police, South Zone, Madurai, the Superintendent of Police, Madurai District and the Organizing Committee shall file their individual reports after the event before the Registry of this Court.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

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Sub Assistant Registrar (CS)

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To

1. Mr. C. Manickam, (Chairman)
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. (+1 for member)

3. The Inspector General of Police, South Zone, Madurai - **Member**

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

5. The Assistant Director of Town Panchayats,
Palamedu Town Panchayat - **Member**

6. The Superintendent of Police,
Madurai Rural District, Madurai - 625 007.

+2 CC to M/s. A. KANNAN, Advocate (SR-1741[F] dated 13/01/2020)

W.P (MD) No. 901 of 2020

13.01.2020

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