



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE A.P.SAHI, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD**

W.P.[MD]No.12949 of 2017

and

W.M.P.[MD]No.10039 of 2017

A.Aavudayappan Servai : Petitioner
Vs.

1.The Secretary to Government,
Union Ministry of Environment Forest and Climate Change,
Prithvi Block, First Floor,
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi - 110 003.

2.The Secretary to Government,
Government of Tamil Nadu,
Law Department,
Fort St. George,
Chennai - 9.

3.The District Collector,
Sivagangai District,
Sivagangai. : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Declaration, declaring that the words "from the months of January to May of a Calender Year" in Clause "dd" of Section 2 of Prevention of Cruelty to Animals (Tamil Nadu Amendment) Act, 2017 as illegal and arbitrary in respect of conduct the Manjuvirattu Festival and subsequently amend the words in all the months of Calender Year.

For Petitioner : Mr.Prasanna Rajadurai
for Mr.S.Muthalraj

For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader



O R D E R

[Order of the Court was made by **The Hon'ble Chief Justice**]

The nature of the relief claimed in this petition is as follows:

"To issue a Writ of Declaration, declaring that the words "from the months of January to May of a Calender Year" in Clause "dd" of Section 2 of Prevention of Cruelty to Animals (Tamil Nadu Amendment) Act, 2017 as illegal and arbitrary in respect of conduct the Manjuvirattu Festival and subsequently amend the words in all the months of Calender Year."

2. Learned counsel for the petitioner has advanced his submissions, which essentially, in our opinion, amount to asking for an all the year around continuity of the Manjuvirattu Festival. This is an absolutely irrational suggestion, seeking a legal protection for continuance of activities thereby diluting the very effect and purpose of the Act. Any such alteration would, therefore, defeat the very purpose of regulating the activities of the festival and might possibly also result in more cruelty to the animals than presently involved, which is sought to be prevented.

3. The aforesaid relief claimed is frivolous for having raised an issue, which does not further any public interest.

4. The Writ Petition is accordingly, dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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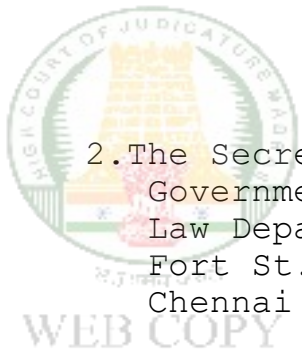
Sub Assistant Registrar(CS)

MR/sasi

To

1.The Secretary to Government,
Union Ministry of Environment Forest and Climate Change,
Prithvi Block, First Floor,
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi - 110 003.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Secretary to Government,
Government of Tamil Nadu,
Law Department,
Fort St. George,
Chennai - 9.

3.The District Collector,
Sivagangai District,
Sivagangai.

+1 CC to Mr.NA..PALANIYANDI, Advocate (SR-8225[F] dated
25/02/2020)

+1 CC to SPL.GP (SR-8407[F] dated 26/02/2020)

ORDER MADE IN
W.P.[MD]No.12949 of 2017
25.02.2020

MK (03.03.2020) 3P 6C