



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

**W.P. (MD)No.22443 of 2021
and W.M.P. (MD) No.18972 of 2021**

K.Alagu

... 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,
Madurai District.
4. The Inspector of Police,
Palamedu Police Station,
Madurai - 625 012.
5. Grama Pothu Mahalinga Swamy Madathu Committee,
Rep. by its President,
Palamedu,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondent No.1 to conduct Jallikattu Festival at Palamedu, Madurai District on 15.01.2022 by permitting the members of all Scheduled Caste communities more particularly by including members of Paraiyar Community by forming a Committee on Jallikattu in accordance with Rule 3(4) Tamil Nadu Prevention of Cruelty to Animals (Conduct of Jallikattu) Rules, 2017 within the time frame stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Rajasekar
For Respondent Nos.1 : Mr.P.Thilakkumar
to 4 Government Pleader



O R D E R

(Order of the Court was made by PUSHPA SATHYANARAYANA, J.)

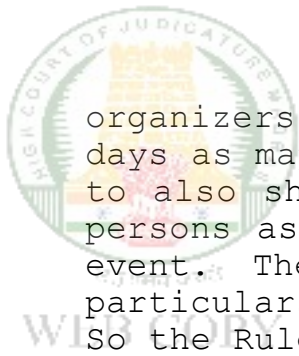
The petitioner has come up with the Writ Petition, seeking for issuance of a Writ of Mandamus, directing the first respondent to conduct Jallikattu Festival at Palamedu, Madurai District, on 15.01.2022 by permitting the members of all Scheduled Caste communities more particularly by including members of Paraiyar Community by forming a Committee on Jallikattu in accordance with Rule 3(4) Tamil Nadu Prevention of Cruelty to Animals (Conduct of Jallikattu) Rules, 2017 within a time frame.

2. Heard Mr. T. Lajapathi Roy, learned counsel for the petitioner and Mr. P. Thilakkumar, learned Government Pleader, who accepts notice on behalf of respondent Nos. 1 to 4.

3. The petitioner, who is a resident of Palamedu Village and an agriculturist, states that there are about 1000 persons in Palamedu Village belongs to Paraiyar Community, however, not even a single person of the said Community was represented in the Grama Pothu Mahalinga Swamy Madathu Committee, despite their continuous request to be included in the Jallikattu conducted in the previous years. Hence, he has now made a representation for including the said community to be part of the Committee.

4. Regarding the conduct of Jallikattu, there had been various orders passed by the learned Single Judges as well as the Division Benches of this Court. It is also to be noted that Prevention of Cruelty to Animals (Tamil Nadu Amendment) Act, 2017 (Act No. 1 of 2017), has come into force from 21.01.2017. The said Act defines what is 'Jallikattu'. The Act also further mentions that the conduct of 'Jallikattu' is with a view to follow and promote tradition and culture and ensure preservation of native breeds of bulls as also their safety, security and wellbeing. So, the intention of such sport is to ensure survival and continuance of native breeds of bulls.

5. In consonance with the said Amendment Act, Rules were also framed, which are known as Tamil Nadu Prevention of Cruelty to Animals (Conduct of Jallikattu) Rules, 2017 (hereinafter referred to as 'the Rules'). The said Rules prescribe the Procedure for Conduct of Jallikattu. Rule 3(4) of the Rules reads that the Collector should form a 'Committee on Jallikattu' comprising of officials from Revenue, Animal Husbandry, Police and Health Departments to oversee and monitor the conduct of Jallikattu and ensure that the Jallikattu is conducted in conformity with these Rules. The Rules also provides for Organising Committee viz., it may be an individual, organization or group, who will be called as



organizers, who shall conduct the sport in such places and on such days as may be notified by the Government. Such organizers referred to also should obtain prior permission from the Collector for the persons as well as their bulls for participating in the Jallikattu event. The Collector should ensure that the names and other particulars of the participants in the Jallikattu are registered. So the Rules are in place.

6.In the light of the above provisions, it has to be examined whether the relief sought for by the petitioner herein, seeking permission for the Schedule Caste communities to be part of the Committee of Jallikattu, has to be granted. The claim of the petitioner, first of all, will not lie any more under Rule 3(4) of the Rules, as it is only the Collector, who can form a Committee of Jallikattu, as has been provided there for. If at all the petitioner is aggrieved, as an individual or organizer or a group may be constituted into, referred to as organizers, approach the Collector to participate in the event as per Rule 3(1) of the Rules. The Court cannot specifically give a direction to include any particular or caste or community to be part of the Jallikattu as has been prescribed in Rule 3(4) of the Rules.

7.In the light of the above discussions, if the petitioner is so aggrieved, it is open to him to form a group as defined under the Rules and take part in the above sport and we cannot issue any specific direction in this regard.

8.In view of the above, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

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Madurai.
2. The Commissioner of Police,
O/o. the Commissioner of Police,
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3. The Revenue Divisional Officer,
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Madurai District.
4. The Inspector of Police,
Palamedu Police Station,
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+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-39452[F] dated 20/12/2021)

+1 CC to M/s.SPL GP (SR-39505[F] dated 20/12/2021)

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