



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2022

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CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.449 of 2022

C.Ganapathi

.. Petitioner

Versus

1. The Deputy Superintendent of Police,
Bhavani, Erode District.

2. The Inspector of Police,
Bhavani Police Station,
Bhavani, Erode District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to grant permission and police protection for conducting "Cock Fight" event during Pongal Festival days from 14.01.2022 to 17.01.2022 at Periyavadamalipalayam, Jambai Village.

For petitioner : Mr.C.Munusamy

For respondents : Mr.K.V.Sajeevkumar

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

The Writ Petition is heard through video conferencing.

2.By consent of the learned counsels appearing for the parties, the Writ Petition is taken up for disposal at the admission stage itself.

3.Heard Mr.C.Munusamy, learned counsel for the petitioner and Mr.K.V.Sajeevkumar, learned Special Government Pleader appearing for the respondents.

4.This Writ Petition has been filed seeking direction to the respondents to grant permission and police protection for



conducting Cock Fight event during Pongal Festival days from 14.01.2022 to 17.01.2022 at Periyavadamalipalayam, Jambai Village, Erode District.

5. The learned counsel appearing for the petitioner has brought to the notice of this Court the earlier orders passed in W.P.No.1530 of 2019 dated 07.02.2019 and Crl.O.P.No.6038 of 2020 dated 16.03.2020, wherein this Court while granting permission has imposed the following conditions:

"(i) It is made clear that such an event shall be supervised by the respondent as well as by the veterinary doctor of nearby Government Veterinary Hospital.

(ii) It is further made clear that during the course of conducting 'Cock Fight', there should not be any injury to be caused to the birds and the birds should not be intoxicated with any alcoholic substance and no knives should be tied around the legs of the birds, with the tip of the knives dipped in poisonous substances. The veterinary doctor shall ensure the same before the actual starting of the event.

(iii) The petitioner shall bear the expenses towards police protection as well as the expenses towards the Veterinary doctor.

(iv) It is made clear that the organizer should take pre-cautionary measures to avoid any untoward incident while conducting the event of cock-fight.

(v) Songs praising communal leader or having communal overtones should not be played.

(vi) The petitioner will ensure that no flex board or hoardings depicting particular community or leader is displayed.

(vii) All the above terms and conditions should be followed scrupulously by the petitioner and the petitioner shall file an affidavit of undertaking to the said effect before the respondents.

(viii) The petitioner volunteers to donate a sum of Rs.5,000/- (Rupees five thousand only) to any one of



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the Orphanages in the District and payment of proof shall be produced before the respondent.

(ix) No one is allowed to enter, except the owner of the birds which are going to participate in the event.

(x) There is a separate place allocated for the spectators.

(xi) According to the conditions, eligible birds are only allowed to participate in the event. If there is any certain objections being raised, it is taken to the concerned police officer to take a decision.

(xii) It is also made clear that neither the petitioner nor any of the parties/participants shall indulge in any gambling activities."

6. It is the submission of the learned Special Government Pleader that in view of the Covid-19 Pandemic, the Government has imposed lock down and hence, the petitioner's prayer for conducting cock fight from 14.01.2022 to 17.01.2022 will be considered by the second respondent only after considering the Government Order issued in this regard.

7. The learned counsel for the petitioner in reply would state that the Government has already issued G.O.Ms.27, Revenue and Disaster Management, dated 10.01.2022 granting permission for conducting Jallikattu imposing certain conditions and the same conditions may be issued in this case also.

8. In the light of G.O.Ms.27, dated 10.01.2022 and considering the submissions of the learned counsels, this Court directs the second respondent to consider the representation of the petitioner for granting permission and police protection for conducting "Cock Fight" by imposing conditions stated supra. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

pvs



To

1. The Deputy Superintendent of Police,
Bhavani, Erode District.

2. The Inspector of Police,
Bhavani Police Station,
Bhavani,
Erode District.

+1cc to Government Pleader, SR.No.3108(30/05/2022)

W.P. No.449 of 2022

SR(CO)
GN(12/01/2022)