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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2022

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THE HONOURABLE MR.JUSTICE T.RAJA
AND

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.NO.2541 OF 2022

Dharmapuri Jallikattu Peravai
Trust Registration No.14/2020
represented by its Founder cum President
P.Arumugam,
5/195, Raja complex,
2nd floor, Salem Main Road,
Illakiyampatti,
Dharmapuri District - 636 705.

... Petitioner

vs

1. The Government of Tamil Nadu
represented by its
Principal Secretary to Government,
Animal Husbandry Dairying and
Fisheries Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Dharmapuri,
Collectorate Dharmapuri-636 705.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents herein to permit the petitioner to conduct Jallikattu event on 16.02.2022 at Sogathur Village, Dharmapuri District.

For Petitioner : Mrs.AL.Ganthimathi

For Respondents : Mr.K.V.Sajeev Kumar,
Special Government Pleader



ORDER

[Order of this Court was delivered by T.RAJA, J.]

Dharmapuri Jallikattu Peravai Trust, represented by its Founder cum President Mr.P.Arumugam, the petitioner herein has come to this Court seeking a direction to the respondents to permit them to conduct Jallikattu event on 16.02.2022 at Sogathur Village, Dharmapuri District.

2.Learned counsel appearing for the petitioner submitted that the members of the petitioner trust, belong to Sogathur and nearby villages, situated in Dharmapuri District. While so, immediately after the pongal festival, the people, belonging to the village of Sogathur in Dharmapuri District and other nearby villages, are used to come together every year and conduct week long festivities in honour of Sri Selliamman Temple in Sogathur. As a part of such festivities, the members of the petitioner trust have also been customarily involved and participated in the conduct of the Jallikattu event in Sogathur. Since some guidelines/instructions have been issued in the year 2017 for conducting Jallikattu event in the state of Tamil Nadu, the customary organisers of Jallikattu event in Sogathur Village and nearby villages came together and formed the petitioner trust. After registration of the petitioner trust, they applied for permission to conduct the Jallikattu event in Sogathur Village for the year 2021 and the first respondent herein had issued G.O. (D) No.33 dated 25.01.2021 notifying permission for conduct of Jallikattu in Sogathur Village between 07.02.2021 to 15.02.2021. Thereafter, the second respondent also issued proceedings dated 08.02.2021 in Na.Ka.No.C1/ 21765/2020 with a direction to various authorities and the Jallikattu Committee. Pursuant to the same, the event was conducted as planned on 13.02.2021 by following the rules, regulations and the guidelines. When the last year, Jallikattu event was successfully conducted without any complaint whatsoever, the petitioner trust had made a similar representation dated 06.12.2021 seeking permission from the second respondent for the conduct of Jallikattu event on 29.01.2022 promising due adherence to all Covid 19 protocols as well as the Jallikattu conduct rules of 2017. Pursuant to the same, the District Collector, by letter dated 10.12.2021, had forwarded the same to the authorities concerned for a spot inspection of the place for further orders. Therefore, the petitioner made a representation dated 12.01.2022 to the second respondent and other authorities seeking permission to conduct the Jallikattu event in the land belonging to Sri Selliamman Temple, Sogathur Village. As there was no response from them, the petitioner has come to this Court.



3.Learned counsel for the petitioner further submitted that when the conduct of Jallikattu event has been permitted by the State Government and most of the Districts, like Madurai, Sivagangai, Pudukottai etc. are conducting the Jallikattu event every year without any problem, the District Administrative of Dharmapuri also should come forward to facilitate the conduct of Jallikattu, failing which, the interest shown by the petitioner's trust, would be diminished and the interest of petitioner's trust to conduct the Jallikattu on the basis of the guidelines issued by the District Administration, should not be delayed. Therefore, a direction be issued to the respondents for granting permission to conduct Jallikattu event on 16.02.2022 at Sogathur Village, Dharmapuri District.

4.Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents submitted that if an order is made ready, the same will be communicated to the concerned authorities and the event likely to be conducted on 16.02.2022, will also be permitted, as per the guidelines.

5.Since the Jallikattu event has been permitted by the State Government and the same is being conducted by most of the Districts, like Madurai, Sivagangai, Pudukottai etc. by following the Covid 19 protocols as well as the Jallikattu conduct rules of 2017, this Court is inclined to grant permission to the petitioner trust to conduct the Jallikattu event on 16.02.2022 at Sogathur Village, Dharmapuri District. Therefore, the members of the petitioner trust are given liberty to approach the District Collector, Dharmapuri/the second respondent herein on or before 14.02.2022 along with the copy of this order. On receipt of the same, the second respondent shall grant permission to conduct the Jallikattu event on 16.02.2022 at Sogathur Village, Dharmapuri District within two days' time. The members of the petitioner trust are hereby directed to follow the Covid 19 protocols as well as the Jallikattu conduct rules of 2017 and the other guidelines, while celebrating such event. With the above direction, this writ petition stands allowed. No Costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
The Government of Tamil Nadu,
Animal Husbandry Dairying and
Fisheries Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Dharmapuri,
Collectorate Dharmapuri-636 705.

+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.8708

W.P.No.2541 of 2022

GSM(CO)
RLP(10/02/2022)