



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.03.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 4050 of 2022

C.Arun Kumar

... Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
3. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

....Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents to grant permission to conduct Kida-Muttu cultural event scheduled on 15.03.2022 at Arulmighu Manthaiamman Temple at Pottapalayam Village, Thiruppuvanam Taluk, Sivagangai District on the basis of the petitioner's representation dated 21.02.2022.

For Petitioner	: Mr.S.Loganathan
For Respondents	: Mr.R.M.Anbunithi
No.1 & 2	Additional Public Prosecutor

O R D E R

Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice on behalf of the respondents. By consent, the writ petition has been taken up for final disposal at the state of admission itself.

2.It is the case of the petitioner that he is the member of the committee and as part of Mahakumbabhishekam every year, the Sangam conducts the event of 'Kida-Muttu' at Thiruppuvanam Taluk, Sivagangai District. According to the petitioner, the said event is conducted without any violence, cruelty to the goats, participating in the event, and without any untoward incident. Seeking permission to conduct the said event, the petitioner Sangam filed this writ petition.



3. The learned Additional Public Prosecutor, on instructions, submitted that conduct of the event 'Kida-Muttu' is a cognizable offence as defined under Sections 31 and 11(1)(n) of the Prevention of Cruelty to Animals Act, 1960 and the permission sought for by the petitioner is in violation of Sections 11(1)(n) and 26 of the Act.

4. The learned counsel for the petitioner submitted that this Court passed orders permitting cock-fight, imposing certain conditions and similar order may be passed in this writ petition also.

5. I have considered the above submissions.

6. This Court, in similar circumstances, allowed W.P. (MD) No. 10771 of 2013 by order dated 05.07.2013 permitting cock-fight, imposing certain conditions. Following the said order, the second respondent is directed to grant permission to the petitioner to conduct 'Kida-Muttu' event on 15.03.2022 at Pottapalayam Village, Thirupuvanam Taluk, Sivagangai District, subject to the following conditions:-

"(i) The 'Kida-Muttu' event to be held on 15.03.2022 shall be supervised by the third respondent as well as by the Veterinary Doctor of nearby Government Veterinary Hospital.

(ii) During the course of conducting 'Kida-Muttu', it is to be ensured that there should not be any injury caused to the goats, involving in the event, and the goats should not be intoxicated with any alcoholic substance and to knives should be tied around the legs, horns of the goats, with the tip of the knives dipped in poisonous substances. The Veterinary Doctor shall ensure the same before 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 organizers should take all precautionary measures to avoid any untoward incident while conducting the event of 'Kida-Muttu'.

(v) The third respondent while issuing the proceedings permitting the holding of the event shall stipulate appropriate conditions for adhering to Covid-19 protocol. I make it clear that the order has been passed in this writ petition based on the position of law today. It is of-course open to the third respondent to take a call, if any further lockdown restriction is imposed by the Government.



(vi) 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 second respondent.

7. The writ petition is allowed on these terms. No costs.

Sd/-

Assistant Registrar (CS II)

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/ /2022

Sub Assistant Registrar (CS)

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To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
3. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.LOGANATHAN, Advocate (SR-10541[F] dated 08/03/2022)

+1 CC to M/s.S.LOGANATHAN, Advocate (SR-10850[F] dated 09/03/2022)
W.P (MD).No.4050 of 2022
07.03.2022

MGJ(11.03.2022) 3P 7C