



W.P(MD) No.24269 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.24269 of 2022

K.T.Sasindran

... Petitioner

-VS-

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.

2. The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to grant permission to perform the program of Bullock Cart and Horse Cart Border race program on 07.11.2022 at about 6.00 am to 11.00 am at the surrounding of Sri Renganathar Perumal Kovil Temple, Pattukottai, Thanjavur District and to provide adequate police protection based on the petitioner's representation dated 02.02.2022.



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For Petitioner : Ms.P.Krishnaveni

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus, directing the respondents to grant permission to perform the Bullock Cart and Horse Cart Border race programmes on 07.11.2022, from 6.00 am to 11.00 am, in connection with the temple festival of Sri Renganathar Perumal Kovil Temple, Pattukottai, Thanjavur District and to provide adequate police protection, based on his representation dated 02.02.2022.

2. Heard Ms.P.Krishnaveni, learned counsel for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor, appearing for the respondents.

3. Learned counsel for the petitioner submitted that for the past seven years during the aforesaid temple festival, the Bullock Cart and Horse Cart Border race are being conducted by the villagers jointly and to conduct the same for this year on 07.11.2022, the petitioner has



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submitted a representation to the second respondent on 02.02.2022 and the same is not considered so far by the respondents.

4. In reply, the learned Additional Public Prosecutor appearing for the respondents has produced the Tamil Nadu Acts and Ordinance dated 31.01.2017, before this Court and submitted that by Act No.1 of 2017, the Government have amended the Prevention of Cruelty to Animals Act, 1960 and promulgated the said Ordinance, by inserting Section 2(dd), which reads as follows:-

“ “Jallikattu”, means an event involving bulls conducted with a view to follow tradition and culture on such days from the month of January to May of a calendar year and in such places, as may be notified by the State Government, and includes “manjuvirattu”, “vadamadu” and “erudhuvidumvizha” ”

Hence, the learned Additional Public Prosecutor submitted that permission as sought for by the petitioner cannot be granted, since the aforesaid programme is not within the ambit of the said Ordinance.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner may be permitted to make fresh representation to the



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respondents to conduct aforesaid programme in future date and the same may be directed to be considered and disposed of by the respondents within a time frame.

6. Recording the aforesaid submissions, this writ petition is disposed of leaving it open to the petitioner to approach the respondents with a representation and on such filing, the respondents are directed to consider and dispose of the same purely on its own merits and in accordance with law within a period of two weeks thereafter. It is made clear that this order should not be construed as giving any positive direction to the respondents, who should pass orders depending upon the merits of the representation. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]

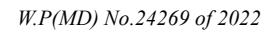
07.11.2022

Index : Yes / No

Internet : Yes / No

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Note : Issue order copy tomorrow i.e., 08.11.2022.



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Pattukottai Sub Division,
Thanjavur District.

2. The Inspector of Police,
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