



WEB COPY



W.P.No.305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

Writ Petition No.305 of 2023

C.Ganapathi

.. Petitioner

Vs.

1.The Deputy Superintendent of Police
Bhavani
Erode District.

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

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to grant permission and police protection for conducting “Cock Fight” event during Pongal festival days from 15.01.2023 to 18.01.2023 at Periyavadamalaipalayam, Jambai Village, Bhavani Taluk, Erode District.

For Petitioner : Mr.C.Munusamy

For Respondents : Mr.E.Vijay Anand
Additional Government Pleader



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ORDER

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(Order of the Court was delivered by V.M.VELUMANI,J.)

Writ Petition is filed directing the respondents to grant permission and police protection for conducting “Cock Fight” event during Pongal festival days from 15.01.2023 to 18.01.2023 at Periyavadamalaipalayam, Jambai Village, Bhavani Taluk, Erode District.

2.By consent of both the learned counsel appearing for the petitioner as well as Mr.E.Vijay Anand, learned Additional Government Pleader, who takes notice for the respondents, the writ petition is taken up for final disposal at the stage of admission itself.

3.Heard the learned counsel appearing for the petitioner as well as Mr.E.Vijay Anand, learned Additional Government Pleader appearing for the respondents and perused the entire materials on record.

4.The petitioner is seeking permission and police protection for conducting Cock Fight during Pongal festival days from 15.01.2023 to 18.01.2023. According to the petitioner, cock fight is conducted every year as a part of festival during Pongal. The petitioner has also stated that



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animals or birds will not be harmed and it is simply a traditional event for farmers. Each and every year, they conduct cock fight peacefully. The petitioner has sent representation dated 28.12.2022 to the respondents, which was received by them on 29.12.2022. Since the respondents have not passed any order, the petitioner has come out with the present writ petition.

5.Learned counsel appearing for the petitioner relied on the orders passed by this Court dated (1) 07.02.2019 made in W.P.(MD)No.1530 of 2019, (2) 16.03.2020 made in CrI.O.P.No.6038 of 2020 and (3) 16.02.2021 made in W.P.Nos.670, 757 and 698 of 2021 and prayed that permission may be granted for conducting cock fight by imposing certain conditions.

6.Learned Additional Government Pleader appearing for the respondents submitted that at the time of event, there should not be any betting, the cocks should not be intoxicated and no knives should be tied around the legs of the cocks. He further submitted that respondents would consider the representation of the petitioner and pass appropriate orders.



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7.Considering the above submissions made by the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents, the respondents are directed to consider the representation of the petitioner dated 28.12.2022 taking into consideration the Circular Memorandum dated 09.04.2019 issued by the Director General of Police, Tamil Nadu, Chennai-600 004, in Rc.No.007301/Genl-1(1)/2019 enumerating the directions for sports events and grant permission and give police protection for conducting cock fight event during Pongal festival days from 15.01.2023 to 18.01.2023 at Periyavadamalaipalayam, Jambai Village, Bhavani Taluk, Erode District, subject to the following conditions:

(i) It is made clear that such an event shall be supervised by the respondents as well as the veterinary doctor of near by 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.



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(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 precautionary 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) The petitioner volunteers to donate a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to Andhra Mahila Sabha, Iswari Prasad Dattatreya Orthopaedic Centre, Chennai and payment of proof shall be produced before the respondents.

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

(ix) Separate place to be allocated for the spectators.

(x) According to the conditions, eligible birds are only



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allowed to participate in the event. If there is any certain objections being raised, it is to be taken to the concerned Police Station to take a decision.

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

(xii) 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.

8.It is made clear that aforesaid conditions shall be strictly followed during the event and if there is any violation, it is open to the respondent police to take action immediately in accordance with law.

9.With the above directions, the writ petition is disposed of. No costs.

(V.M.V., J) (R.H., J)
06.01.2023

Index : Yes/No

Neutral Citation : Yes/No

Note:Issue order copy on 09.01.2023

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To

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Bhavani
Erode District.

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



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**V.M.VELUMANI,J.
and
R.HEMALATHA,J.**

Kj

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