



W.P.(MD) No.3119 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3119 of 2023

S.Thesingu Raja

... Petitioner

-Vs-

1.The Assistant Superintendent of Police,
Nanguneri Division, Tirunelveli District.

2.The Inspector of Police,
Thirukarankudi Police Station,
Tirunelveli 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 and protection to conduct Cockfight scheduled to be taken place on 01.03.2023 between 09.00 A.M., to 06.00 P.M., in connection with 70th birthday of Chief Minister of Tamil

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Nadu Hon'ble M.K.Stalin at Ramachandrapuram, Maavadi, Nanguneri, Thirunelveli District.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.S.Manikandan,
Government Advocate (Crl.Side)

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed for a direction to the respondents to grant permission and protection to conduct cockfight scheduled to be held on 01.03.2023 between 09.00 A.M., to 06.00 P.M., in connection with 70th birthday of Chief Minister of Tamil Nadu Hon'ble M.K.Stalin at Ramachandrapuram, Maavadi, Nanguneri, Thirunelveli District.

2.According to the petitioner, he made representations dated 28.01.2023 and 07.02.2023 to the respondents, seeking permission to conduct cockfight. Since the same have not been considered till date, the petitioner is before this Court with the aforesaid prayer.

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3.The learned Government Advocate appearing for the respondents submitted that there is a possibility for communal clash and law and order problem, if one particular community wins or losses in the event. Further, on 13.10.2022, there was a problem between two different community people, for which, two cases in Crime Nos.117 and 119 of 2022 have been registered in Thirukkurungudi Police Station.

4.In reply, the learned counsel for the petitioner submitted that the aforesaid two cases are not related to the village, where the petitioner is seeking permission. Therefore, the reasons assigned by the respondent Police are unfounded. He further submitted that the petitioner will give an undertaking affidavit before the respondent police along with the details of the participants in the cockfight that the guidelines issued by the Director General of Police and whatever the conditions imposed by the respondent Police would be strictly complied with by the participants, for which, the learned Government Advocate submitted that if such undertaking affidavit is filed by the petitioner, the same would be considered on merits and in accordance with law.

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5.Considering the aforesaid submissions made on either side, we direct the petitioner to give an undertaking affidavit to the extent indicated above along with the details of the participants, who are all participating in the cockfight before the respondent Police immediately. On receipt of such undertaking affidavit, the respondent Police is directed to consider the same on its own merits and pass appropriate orders, if otherwise satisfied, on or before 28.02.2023.

6.With the above direction, this Writ Petition stands disposed of. No costs.

[D.K.K., J.] & [L.V.G., J.]
24.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

Note: Issue Order copy on 27.02.2023.

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To

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2.The Inspector of Police,
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