



W.P(MD)No.9719 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.9719 of 2023

S.Sasi

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District,
Theni.

2.The Deputy Superintendent of Police,
Theni District,
Theni.

3.The Inspector of Police,
Veerapandy Police Station,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant permission and necessary protection to conduct “Kidamuttu Culatural Event” on 11.06.2023 for Former Chief Minister Dr.Kalaingar Karunanithi's 100 years birth anniversary at Mattuthavani, Veerapaday, Municipality, Theni District based on the petitioner's representation dated 05.04.2023.



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For Petitioner : Mr.M.Pandian
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents to grant permission and necessary protection to conduct “Kidamuttu Culatural Event” on 11.06.2023 for Former Chief Minister Dr.Kalaingar Karunanithi's 100 years birth anniversary at Mattuthavani, Veerapaday, Municipality, Theni District based on the petitioner's representation dated 05.04.2023.

2. Mr.B.Nambiselvan, learned Additional Public Prosecutor takes notice for the respondents.

3.Heard both sides.

4. The learned counsel for the petitioner has relied on the order passed by the Hon'ble Division Bench of this Court in W.P.(MD)No. 11751 of 2023, wherein the Division Bench by following the earlier order passed in W.P(MD).No.528 of 2022, dated 11.01.2022, has granted



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permission by imposing certain conditions to conduct Kida Muttu

Cultural Event and the relevant portions are extracted hereunder :

“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 22.01.2022 at Mamarthupatti, Madurai District, subject to the following conditions:-

"(i) The 'Kida-Muttu' event to be held on 22.01.2022 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



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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 second 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 obtaining today. It is of-course open to the second respondent to take a call, if any further lock down restriction is imposed by the Government.

(vi) All the above terms and conditions should be followed scrupulously



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*by the petitioner and the petitioner shall file
an affidavit of undertaking to the said effect
before the second respondent.*

5. In view of the above, the third respondent is directed to consider the petitioner's representation, dated 05.04.2023 and pass orders and in case of granting permission, subject to the conditions imposed by Animal Husbandry Department and this Court in W.P.(MD)No.11751 of 2023. If the petitioner is still aggrieved over the outcome of the representation, he shall workout his remedy through the appropriate proceeding.

6. In the result, this writ petition stands disposed of. No costs.

07.06.2023

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

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Theni District,
Theni.
2. The Deputy Superintendent of Police,
Theni District,
Theni.
3. The Inspector of Police,
Veerapandy Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

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Order made in
W.P(MD)No.9719 of 2023

Dated : 07.06.2023