



WP No.1130 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 18.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.1130 of 2024

V.Devaram

... Petitioner

Vs.

1.The Superintendent of Police,
Thiruvallur District.

2.State rep. by
The Inspector of Police,
Pullarampakkam Police Station,
Thiruvallur District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant permission and police protection to conduct “Cock Fight” in the event of Thaipoosam Festival and Independence Day at Thanganur Village ground, Thirupachur, Thiruvallur Taluk & District on 26.01.2024, 27.01.2024 and 28.01.2024 between 09.00 a.m. and 06.00 p.m. By considering the petitioner's representation dated 31.12.2023.



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For Petitioner : Mr.A.Sathishkumar
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the representation made by the petitioner on 31.12.2023 and to grant police protection for conducting the Cock Fight from 26.01.2024 to 28.01.2024.

2.The learned counsel for the petitioner submitted that this Cock Fight is being conducted during Thaipooosam Festival and Independence Day and even during the previous year, similar writ petition was filed and permission was granted and the event was conducted without giving rise to any law and order problem. The learned counsel submitted that even this time it will be conducted in a smooth manner without causing any law and order problem.

3.Per contra, the learned Additional Public Prosecutor on written instructions from the 2nd respondent submitted that there is a reasonable apprehension that a law and order problem will be created. The learned Additional Public prosecutor



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submitted that such law and order problem is anticipated since many who participate in the event will be under the influence of alcohol and that there is also a likelihood of caste being the reason for the law and order problem.

4.The learned counsel for the petitioner submitted that the petitioner will ensure that no law and order problem is created and that the petitioner must be permitted to conduct the Cock fight as was done in the previous years.

5.Taking into consideration the facts and circumstances of the case and after carefully considering the apprehension that was raised by the respondent police, this Court is inclined to grant permission for conducting the cock fight for two days i.e on 27.01.2024 and 28.01.2024 subject to the following conditions :-

- (i) It is made clear that such an event shall be supervised by the first respondent as well as by the Veterinary Doctor of nearby 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



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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.

(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 pre-cautionary 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) 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.



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(viii) No one is allowed to enter, except the owner of the Birds

which are going to participate in the event.

(ix) There is a separate place allocated for the spectators.

(x) According to the conditions, eligible birds are only allowed to participate in the event. If there are any objections being raised, it is left open to the concerned police officer to take a decision.

(xi) If at any time, any law and order problem is created, it will always be left open to the 2nd respondent to abruptly stop the entire event and take action against the concerned persons in accordance with law.

6. This writ petition is disposed of with the above directions. No costs.

18.01.2024

Index : Yes/No

Internet: Yes

Speaking Order/Non-speaking Order

ssr

Note : Issue order copy on 19.01.2024



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N.ANAND VENKATESH,J.

SSR

To

- 1.The Superintendent of Police,
Thiruvallur District.
- 2.The Inspector of Police,
Pullarampakkam Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

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