



WEB COPY



W.P.No.14251 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2024

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

**W.P.No.14251 of 2024 and
W.M.P.No.15446 of 2024**

Viswanathan @ Chinnathambi

... Petitioner

Vs.

1. The Superintendent of Police,
West Range, Puducherry.

2. State Rep. by
The Station House Officer,
Thirukkanur Police Station,
Puducherry.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of 1st respondent vide in his proceedings No.278/SPW/MEET/2024, dated 17.05.2024 and quash the same and consequently direct the respondents to give police protection to the petitioner to conduct cock fight on 06.07.2024 and 07.07.2024 at Vathanar, Pondicherry.

For Petitioner : Mr.K.Thenrajan

For Respondents : Mr.Ramachandra Moorthy
Additional Public Prosecutor (Pondy)

ORDER



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This Writ Petition has been filed seeking to issue a Writ of Certiorarified Mandamus, to quash the proceedings No.278/SPW/MEET/2024, dated 17.05.2024 issued by the first respondent and consequently to direct the respondents to give Police protection to the petitioner to conduct cock-fight on 06.07.2024 and 07.07.2024 at Vathanar, Pondicherry.

2. It is noticed that under similar situation, this Court has granted relief, vide order dated 18.01.2024 passed in W.P.No.1130 of 2024 subject to the following conditions which reads as under:

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 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



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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 boardings 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.

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



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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 second respondent to abruptly stop the entire event and take action against the concerned persons in accordance with law.

3. This Court is of the view that the abovesaid same conditions can be imposed for the proposed festival also, to be held on 06.07.2024 and 07.07.2024. Further, it is made clear that no gambling shall be allowed during the aforesaid Festival.

4. This Writ Petition is disposed of with the abovesaid directions. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

24.05.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

1. The Superintendent of Police,
West Range,
Puducherry.
2. The Station House Officer,
Thirukkanur Police Station,
Puducherry.



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C.SARAVANAN, J.

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