



W.P.No.31604 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.11.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.31604 of 2024

C.Babu @ Kuruibabu

.. Petitioner

Vs.

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

2. The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam, Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to give necessary permission to the petitioner for conducting Cock-Fight during Sri.Kaliyamman and Sri.Mariyamman Thirukovil Festivals situated at Konakapadi, Sempadampalayam Post, Omalur Taluk, Salem District.

For petitioner : Mr.C.Prakasam

For respondents: Mr.S.Sugendran, Addl.P.P.



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ORDER

This Writ Petition is filed praying for issuance of a Writ of Mandamus to direct the respondents to give necessary permission to the petitioner for conducting Cock-Fight during Sri.Kaliyamman and Sri.Mariyamman Thirukovil Festivals situated at Konakapadi, Sempadampalayam Post, Omalur Taluk, Salem District.

2. Money should not be involved and no betting should be there for cock-fight. The cock-fight should be purely for entertainment and that there should not be wrong usage of knife/blade or any other lethal weapon. No poisonous liquids shall be administered to the cock. No illegality should be committed. No arrack should be given to the cocks. There should not be artificial booster administered to the cocks which participates in the game.

3. Further, neither the petitioner, nor the parties in-charge for the cocks should pay and an undertaking should be obtained from the owner and Veterinary Doctors shall be consulted and ascertain the fitness for the Cocks. All the necessary guidelines should be followed scrupulously. It is reiterated that the petitioner is permitted to conduct the cock-fight purely for entertainment and not for the purpose of profit-making. If any of the above conditions are violated, the concerned/jurisdictional Police is directed to register a case in



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respect of the violators.

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4. In a similar matter, a Division Bench of this Court, in W.P.No.31604 of 2024, by order dated 09.01.2023, imposed certain conditions, which are discussed below.

5. Considering the submissions made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents, the respondents are directed to consider the representation of the petitioner dated 01.10.2024. This Court also directs that 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 at the Temple festival in Sri Kaliyamman and Sri Mariyamman Thirukovil festivals situated at Konakapadi, Sempadampalayam Post, Omalur Taluk, Salem District, subject to the following conditions as mentioned by the Division Bench of this Court in the above order:

(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

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

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

(ix) According to the conditions, eligible birds are only 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.

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

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

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the petitioner and the petitioner shall file an affidavit of undertaking to the said effect before the respondents.

(xii) Further, if the above conditions are not followed strictly, during the cock-fight event and if there is any violation, it is open for the concerned Police to take action immediately in accordance with law.

6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

25.11.2024

CS

To

1. The Superintendent of Police,
Salem District, Salem.
2. The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam, Salem District.
3. The Public Prosecutor, High Court, Madras.



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