



WEB COPY



WP No.36025 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 03.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.36025 of 2023

A.Sakthivel

... Petitioner

Vs.

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

2. The Sub-Inspector of Police,
D-5, Pallipattu Police Station,
Pallipattu Taluk,
Thiruvallur District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India

for issuance of Writ of Mandamus to direct the respondents to grant
permission and police protection for conducting “Cock Fight” at Kallamedu
Colony & Village, Konedampettai Post, Pallipattu Taluk, Thiruvallur
District from 05.01.2024 to 07.01.2024.

For Petitioner

: Mr.S.John Josh

For Respondents

: Mr.A.Damodaran

Additional Public Prosecutor



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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 14.10.2023 and to grant police protection for conducting the Cock Fight from 05.01.2024 to 07.01.2024.

2. The learned counsel for the petitioner submitted that this Cock Fight is being conducted during the Pongal and Tamil New Year celebration 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. Mr.V.Chandra Mohan, Sub Inspector of Police, Pallipat, Thiruvallur District, was also



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present before this Court at the time of hearing. The learned Additional Public prosecutor 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 06.01.2024 and 07.01.2024 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



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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 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



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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.

(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.



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

03.01.2024

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Index :Yes/No

Internet:Yes

Speaking Order/Non-speaking Order

Note : Issue order copy on 04.01.2024

To

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Sub-Inspector of Police,
D-5, Pallipattu Police Station,
Pallipattu Taluk,
Thiruvallur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH,J.

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