



W.P(MD)No.5360 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.5360 of 2024

Kaviyarajan

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, thereby directing the first respondent to grant permission to conduct Rekla Race and Horse Race to be held on 10.03.2024 at Serubalakkadu Village to Sokkanathapuram Village Bharm Kalani, Peravurani Taluk, Thanjavur District between 6.00 am to 2.30 p.m based on the petitioner's representation dated 09.02.2024.



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For Petitioner : Mr.R.Balamuruganatham
For R1 : Mr.A.Baskaran
Additional Government Pleader
For R2 & R3 : Mr.M.Vaikkam Karunanidhi
Government Advocate (Crl Side)

ORDER

Seeking permission to conduct Rekla Race and Horse Race in Serubalakkadu Village to Sokkanathapuram Village Bharmakalani, Peravurani Taluk, Thanjavur District on 10.03.2024, the petitioner has filed this writ petition for a Mandamus, directing the first respondent to grant permission to conduct Rekla Race and Horse Race in the above village.

2.The learned counsel appearing for the petitioner submits that the Villagers of Serubalakkadu Village are conducting Rekla Race every year and for this year, they have submitted a representation to the first respondent on 09.02.2024, seeking permission to conduct the Rekla Race in their village. However, their representation was not considered by the first respondent.



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Therefore, the petitioner has filed this writ petition.

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3.The learned Additional Government Pleader appearing for the first respondent/the District Collector submits that the representation was made to the District Collector and the District Collector is not having any role to grant permission to conduct Rekla race. The petitioner ought to have approached the third respondent/the Inspector of Police, Sethubavachathiram Police Station.

4.This Court considered the rival submissions made.

5.Admittedly, the petitioner has submitted a representation before the District Collector, Thanjavur District seeking permission for conducting Rekla race. The Honourable Supreme Court in Transfer Petition (C) No.68 of 2013, has imposed certain conditions to be complied with strictly, while conducting these types of Bullock Cart Races and the same is extracted as



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under:

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“i) At every event, where bullock cart races are to be held, a separate track for each bullock cart will have to be provided.

ii) No whipping of the bull would be permitted and the cartman would only be permitted to swirl it in the air and hit it on the ground, but in no manner whatsoever would the cartman be permitted to whip the bull or induce pain or cause any injury while conducting bullock cart races.

iii) A veterinary Doctor who is attached to the village Dispensary shall first inspect all the bulls that Participate in the bullock cart races to ensure that they are in good physical condition and they are not intoxicated and that there is no application of chilly powder or mud to the genitals of the bull to make it more aggressive or ferocious, so that it runs at a faster speed. In the event of any unfortunate injury that may occur to a bull during the race, immediate adequate medical facility would be provided by the Veterinary Doctor.

iv) In the event of any bull is subjected to cruelty by any person or persons during the bullock cart races,



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penal action would be initiated against him/then under the Prevention of Animal Cruelties Act, 1960.

v) The Veterinary Doctor in association with NGOs espousing the cause of animal welfare would video graph the bullock cart races from vintage position so as to enable the authorities to find out that there is an infraction of law of the aforesaid guidelines during the course of the races.

vi) If the Committee to Monitor Animal Welfare Laws In Maharashtra constituted by the High Court desires to video graph the bullock cart races, then they would be entitled to do so and necessary safeguards and assistance would be provided to them by the Government.

vii) Any organization seeking to conduct bullock cart races would have to inform the District administration/District Collector and the concerned police station in writing at least ten days prior to holding of such race, which in turn would immediately intimate the same to the said Committee.”

In this regard, a Division Bench of this Court, in W.P.(MD)Nos. 2132, 2537 and 3449 of 2024, dated 16.02.2024, has passed the



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following order:

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10. Considering the requests made by the petitioners, the interest of both the organizers as well as participants and also the public, we dispose of these Writ Petitions with the following directions:-

(i) In the light of the conditions imposed by the Police Department as well as the conditions imposed by the Hon'ble Supreme Court in Transfer Petition (C) No.68 of 2013, while considering the applications, the concerned respondents have to impose necessary conditions for the purpose of conducting Bullock Cart Race / Rekla Race / Horse Race, if the aforesaid conditions are complied with, necessary permission shall be granted.

(ii) We also direct the learned Additional Public Prosecutor to forward a copy of this order to the Director General of Police, Tamil Nadu to issue necessary Circular to all the Commissioner of Police and Superintendent of Police in the State of Tamil Nadu to strictly comply with the conditions imposed by the Department as well as the conditions imposed by the Hon'ble Supreme Court in the aforesaid order strictly without any deviations. Such circulars shall be



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issued within two weeks from the date of receipt of a copy of this order.

(iii) If necessary, it is also open to the concerned District Collectors to impose further conditions to be incorporated at the time of considering the applications by the organizers. We also make it clear that only Organizing Committees should approach the respondents to make such applications. Applications made by the individuals need not be considered by the authorities.

(iv) In the light of the above, the third respondent in these Writ Petitions shall consider the requests of the petitioners and pass orders granting permission to conduct Bullock Cart Race / Horse Race / Rekla Race, if the petitioners have complied with the conditions, as early as possible and in W.P. (MD) Nos. 2537 and 3449 of 2024, on or before 17.02.2024.”

As per the direction of the Division Bench, the said order has been communicated to the Director General of Police, Tamil Nadu. Now, the Director General of Police has framed the conditions as stipulated by the Hon'ble Supreme Court and the same has been



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intimated to all the Police Officials.

6. In view of the above, this writ petition is disposed of with a permission to the petitioner to submit a fresh representation to the third respondent within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the third respondent shall consider the same in the light of the above orders passed by the Honourable Supreme Court and the Division Bench of this Court and to grant permission after satisfying with the arrangements of the petitioner as required and as per the orders of the Hon'ble Supreme Court in Transfer Petition (C) No.68 of 2013.

No costs.

08.03.2024

NCC: Yes/No

Index: Yes/No

Internet: Yes

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Note: Issue order copy on 13.03.2024.



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To
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Thanjavur District,
Thanjavur.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. The Inspector of Police,
Sethubavachathiram Police Station,
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B.PUGALENDHI, J.

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