



W.P.(MD) No.18372 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.18372 of 2024

Muthukumar

... Petitioner

-VS-

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Superintendent of Police,
Superintendent of Police Office,
Thanjavur District.
- 3.The Deputy Superintendent of Police,
Papanasam Sub-Division,
Thanjavur District.
- 4.The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and to give a police protection to conduct Bullock Cart Race and Horse Cart Race scheduled on 01.09.20224 at about 6.00 a.m., to 12.00 p.m., upon considering the petitioner's representation dated 27.07.2024.



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For Petitioner : Mr.S.Vishnuvardhan
For R-1 : Mr.P.Thilakkumar,
Government Pleader
For R-2 to R-4 : Mr.B.Thanga Aravindh,
Government Advocate(Crl. Side)

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.P.Thilakkumar, learned Government Pleader takes notice for the first respondent.

2. Mr.B.Thanga Aravindh, learned Government Advocate (Crl. Side) takes notice for respondents 2 to 4.

3. This writ petition is filed to issue a Writ of Mandamus, directing the respondents to grant permission and to give a police protection to conduct Bullock Cart Race and Horse Cart Race scheduled on 01.09.20224 at about 6.00 a.m., to 12.00 p.m., upon considering the petitioner's representation dated 27.07.2024

4. Earlier, we had allowed the bullock cart race and horse cart race subject to conditions that were imposed by the Division Bench and affirmed by the Hon'ble Supreme Court, in W.P(MD)No.19837 of 2024 vide order dated 19.08.2024.



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5. In view of the same, this writ petition is allowed subject to the same conditions imposed by this Court as well as by the Hon'ble Supreme Court, which read as follows:

“8. Today, when the matter was taken up hearing, learned Additional Public Prosecutor has filed the report of the 2nd respondent in W.P.(MD) No.2537 of 2024, wherein it is stated as follows:-

“2. The following conditions may be imposed in conducting Bullock cart race at Seruppalakadu Village, Sethupavachatram Peravurani Taluk, Thanjavur District.

i) Organizers should obtain no objection for conducting events from the following departments. NOC to be obtained from the Animal Welfare Board, Highways Authorities, Revenue departments, and Health department.

ii) Bulls cart race should be conducted in the daytime only and the entire event should be completed maximum before 3 hrs time.

iii) The timing and number of Bulls cart should be decided by the local administration based on local conditions.

iv) There should not be any betting, gambling, or any illegal activities associated with this event.

v) They should not intoxicate the Bulls.

vi) Similarly, the Bullock cart riders should be strictly prohibited from using alcohol.

vii) Every Bulls cart should be certified for its stability by an appropriate authority.

viii) The race should not be conducted in National Highways or State Highways and preferably village roads or any other mud



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track prepared on empty field may be used.

ix) The Organizers should fix or decide the route in consultation with the Police Department. (Schools and Hospitals to be avoided)

x) The entire event should be video-graphed.

xi) Torturing of Bulls won't be allowed at any cost. No whipping of the bull would be permitted and the cart man would only be permitted to swirl it in the air and hit it on the ground, but in no manner whatsoever would the cart man be permitted to whip the bull or induce pain or cause any injury while conducting bullock cart races.

xii) There should not be any caste, communal and Political coloring in the conduct of the event.

xiii) Fitness certificate for the participations should be obtained from the health department.

xiv) Only two persons should be allowed to ride the bullock cart.

xv) The maximum distance allowed to conduct the race should be for 5 kilometers only, beyond which permission is should be denied.

xvi) All the participants should wear Head protection and safety gear. Those who do not wear this should not be permitted to participate in the race.

xvii) Not more than 10 bullock carts should go at the same time.

xviii) Political Party flags, religious flags, slogans and songs should be avoided in the event.

xix) Representation to be given to all the concerned authorities 10 days prior to the function. Authorities can modify the route and time for the convenience of the general public.



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

xxi) *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 chilli 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.*

xxii) *In the event of any bull is subjected to cruelty by any person or persons during the bullock cart races, penal action would be initiated against him/them under the Prevention of Animal Cruelties Act, 1960.*

xxiii) *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 or of the aforesaid guidelines during the course of the races.*

xxiv) *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 fifteen days prior to holding of such race.*

xxv) *Owners of the bull cart as well as the event organizers shall be solely responsible for any untoward incidents occurred during the race.”*

9. *Further, the Hon'ble Supreme Court while granting permission in Transfer Petition (C) No.68 of 2013 imposed the following conditions:-*



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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 ball during the race, immediate adequate medical facility would be provided by the Veterinary Doctor.

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



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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.”

No costs.

[R.S.M., J.]

[L.V.G., J.]

29.08.2027

NCC : Yes/No
Index : Yes/No
Internet : Yes
PM

To:

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Superintendent of Police,
Superintendent of Police Office,
Thanjavur District.
- 3.The Deputy Superintendent of Police,
Papanasam Sub-Division,
Thanjavur District.
- 4.The Inspector of Police,
Kabisthalam Police Station,
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