



W.P.(MD) No.21022 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM:

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

W.P.(MD)No.21022 of 2024

Shriram, S/o.Sivagnanam

... Petitioner

-VS-

1.The District Collector,
Madurai District,
Madurai.

2.The Superintendent of Police,
Madurai District,
Madurai.

3.The Deputy Superintendent of Police,
Melur
Madurai District.

4.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant permission and protection for conducting Rekla Race, scheduled to be held on 15.09.2024 at about 06.00 a.m., to 08.00 a.m., from Ucharichanpatti Village Vilaku to Melur



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Road for the distance of four Miles in connection with the temple festival of Sri Elaikathamman Temple, situated at Vellaloor Village, Melur Taluk, Madurai District.

For Petitioner : Mr.K.Sathish Kumar
For R1 : Mr.P.Thilakkumar
Government Pleader
For R2 to R4 : Mr.M.Vaikkam Karunanithi
Government Advocate (Criminal side)

ORDER

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

Mr.P.Thilakkumar, learned Government Pleader takes notice for the first respondent and Mr.M.Vaikkam Karunanithi, learned Government Advocate (Criminal side) takes notice for the respondents 2 to 4. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This Court, by its order dated 16.02.2024, made in W.P.(MD)Nos. 2132, 2537 and 3449 of 2024, had permitted Rekla Race subject to the following conditions:-

“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 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)



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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.

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.”

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

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



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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.”*

3. In view of the above, permission will be granted if the conditions stated above are fulfilled. Accordingly, the Writ Petition is disposed of. No costs.

[R.S.M., J.]

[L.V.G., J.]

03.09.2024

NCC : No
Index : No
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To

1. The District Collector,
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Madurai.
2. The Superintendent of Police,
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Melur
Madurai District.
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and
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