



W.P.(MD)No.24385 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.24385 of 2024

and

W.M.P.(MD)No.20705 of 2024

Dr.N.V.S.Dinesh

...Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Superintendent of Police,
Theni District.

3.The Secretary,
Animal Welfare Board,
No.13/1, 3rd Sea Ward Road,
Vaalmigi Nagar,
Tiruvanmiyur, Chennai.

4.The Joint Director of District Animal
Husbandry Zone,
Theni District.

5.The Assistant Director of District Animal Husbandry,
Theni, Theni District.

6.The Inspector of Police,
Allinagaram Police Station,
Theni District.

... Respondents



W.P(MD)No.24385 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 28.09.2024 passed by the sixth respondent vide proceedings in Na.Ka.No.05/B2/Ka.Ni/Allinagaram/2024 and quash the same as illegal and consequently direct the sixth respondent herein to grant permission and adequate protection for conducting Cock Fight on 20.10.2024 between 08.00 a.m. to 12.00 p.m. at the petitioner property comprised in S.No.5/5 situated at Block No.3, Ward No.B, Allinagaram, Theni District within a stipulated time period in accordance with law.

For Petitioner : Mr.C.Senthil Murugan

For R1 & R3 to R5 : Mr.M.Muthumanikkam
Government Advocate (Civil Side)

For R2 & R6 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Writ Petition is directed against the rejection order dated 28.09.2024 passed by the sixth respondent and for direction to the sixth respondent to grant permission and adequate protection for conducting Cock Fight on 20.10.2024 between 08.00 a.m. and 12.00 p.m. at the writ petitioner's property comprised in S.No.5/5 situated at Block No.3, Ward No.B, Allinagaram, Theni District within a stipulated time period in



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accordance with law.

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2. Mr.Muthumanikkam, learned Government Advocate (Civil Side) takes notice for the respondents 1 and 3 to 5 and Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 2 and 6. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned Additional Public Prosecutor appearing for the respondents 2 and 6 would submit that the sixth respondent has passed the impugned rejection order dated 28.09.2024 on the ground that there is possibility of betting and that the writ petitioner has not furnished the particulars about the number of participants and timings for the event.

4. Except the above, the sixth respondent has not assigned any reason or ground for rejecting the writ petitioner's claim. Hence, the impugned order is liable to be set aside and is set aside.

5. At this juncture, the learned Additional Public Prosecutor



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appearing for the respondents 2 and 6 would submit that the Director General of Police, Tamil Nadu / Head of State Police Force, Tamil Nadu had issued circular in RC.No.6898194/Crime 4(3)/2024 dated 13.03.2024 regarding conduct of events involving animals and birds across the State and they are ready to follow the aforesaid circular and that the writ petitioner may be permitted to give fresh representation and that they are ready to consider the same.

6. The learned counsel appearing for the writ petitioner would submit that they are going to conduct the cock fight tournament on 20.10.2024 and that they will follow the circular and guidelines issued by the Director General of Police

7. Considering the submissions made on either side and taking note of the detailed circular and guidelines issued by the Director General of Police, the writ petitioner is directed to give a fresh representation incorporating the date and timings of the tournament before the sixth respondent today itself and on receipt of the same, the sixth respondent is directed to consider the writ petitioner's



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representation tomorrow (18.10.2024) itself, by taking into consideration the Circular Memorandum dated 13.03.2024 issued by the Director General of Police, Tamil Nadu, / Head of State Police Force, Chennai - 600 004, in RC.No.6898194/Crime 4(3)/2024, for conducting cock fight schedule to be held on 20.10.2024 subject to the following conditions:

(i) At the time of event, there should not be any betting, the cocks should not be intoxicated and no knives or blades should be tied around the legs of the cocks.

(ii) It is also made clear that neither the writ petitioner nor any of the parties/participants shall indulge in any gambling activities. Also they will not involve in any breach of peace of communal clash.

(iii) Also the organizers of the festival shall obtain permission from the Assistant Director of Animal Husbandry of the District concerned. After obtaining permission, the sixth respondent shall pass appropriate orders.

(iv) The event shall be supervised by the concerned police as well as the Veterinary Doctor of near by Government Veterinary Hospital.

(v) The organizers of the event shall bear the expenses towards police protection as well as the expenses towards the Veterinary doctor.

(vi) All the above terms and conditions should be



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followed by the writ petitioner as well as the organizers of the event and the organizers of the event shall file an affidavit of undertaking to the said effect before the sixth respondent. Only on filing of such undertaking, the sixth respondent shall accord permission for conducting the event.

8. It is also made clear that the aforesaid conditions shall be strictly followed during the event and if there is any violation, it is open to the respondent police to take action immediately in accordance with law.

9. With the above directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

17.10.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

Note : Issue order copy today (17.10.2024)

To

1.The District Collector,



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- Theni District.
- 2.The Superintendent of Police,
Theni District.
 - 3.The Secretary,
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 - 4.The Joint Director of District Animal
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Theni District.
 - 5.The Assistant Director of District Animal Husbandry,
Theni, Theni District.
 - 6.The Inspector of Police,
Allinagaram Police Station,
Theni District.
 - 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.24385 of 2024
and
W.M.P.(MD)No.20705 of 2024

Dated : 17.10.2024