

Cont.P.(MD)No.130 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On : 28.03.2025

Delivered On : **28.04.2025**

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Cont.P(MD)No.130 of 2025

in

W.P.(MD)No.883 of 2025

1.G.Rajkumar

2.G.Tamilarasan

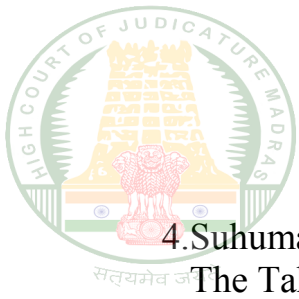
... Petitioners

Vs.

1.Priyanka Pankajam, IAS.,
The District Collector,
Thanjavur District, Thanjavur.

2.Jeyashree,
The Revenue Divisional Officer,
Pattukkottai Division,
Thanjavur District.

3.Karthick Krishnan,
The Member Secretary,
Thanjavur Local Planning Authority,
District Country and Town Planning Office,
No.5, Ganapathy Nagar, 2nd Street,
Medical College Road,
Thanjavur District – 613 001.



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4.Suhumar,
The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.

5.Veeramani
Block Development Officer(Village Panchayats),
Pattukkottai Block,
Pattukkottai,
Thanjavur District.

6.Veeramani,
The President (Incharge),
Aaladikkumulai Village Panchayat,
Aaladikkumulai,
Pattukkottai Taluk,
Thanjavur District.

... Contemnors/Respondents 1 to 6

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Court Act, to punish them for their willful disobedience and non-compliance of the orders passed by this Court in W.P.(MD)No.853 of 2025 and W.M.P.(MD)No. 539 of 2025 dated 09.01.2025 by this Court.

For Petitioners	: Mr.D.Sivaraman
For Respondents	: Mr.Veera Kathiravan Additional Advocate General Assisted by Mr.M.Gangatharan Government Advocate

ORDER

This Contempt Petition has been filed complaining of wilful disobedience of the order, dated 09.01.2025 in W.P(MD)No.853 of 2025 and W.M.P.(MD)No.539 of 2025 by the respondents.



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2.This Court by order dated 09.01.2025, in W.P.(MD)No.853 of 2025, directed the respondents to guide the writ petitioner as to the departments from which necessary permissions to be obtained for the running of horse riding school. In view of the same, the learned Government Advocate on the basis of the communication received from the second respondent submitted that the following the permissions are necessary and the same are as follows:-

“1.No objection certificate from Station Fire Office, Pattukottai under Section 13 of the Tamil Nadu Fire Service Act, 1985, ensuring installation of fire extinguishers and periodic checking of expiry date of the same.

2.Sanitary certificate from the Health Inspector, Department of Health and Family Welfare.

3.Health certificate for horse from Assistant Veterinary Doctor - the extended equine certificate of veterinary inspection ensuring no communicating diseases are suffered by the horses concerned and certifying the health condition of the horses concerned.

4.Tax assessment by the local body for the infrastructure.

5.Public building license under Section 3 of the Tamil Nadu Public Building Licensing Act, 1965, ensuring safety standards and building for its intense use by the public.”

3.However, the certificate of character and antecedent certificate required to be obtained from the Inspector of Town Police Station, Pattukottai, is



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unwarranted to the facts and circumstances of this case. Though one of the instructors, more particularly, namely, G.Rajkumar, is alleged to have involved in a POCSO case in the course of employment in the said horse riding school and a connected POCSO case is also pending as against him, this Court has made clear that the said Rajkumar will not participate in the day to day functions and administration of the horse riding school till the criminal case pending against him is concluded. An affidavit in this regard has also been obtained from the said Thiru.G.Rajkumar. However, he has requested the permission of this Court to use his personal horse, namely, Be My Star, during the hours when the driving horse riding school is not conducted.

4.It is needless to state that no one could prohibit him from riding a horse owned by him. However, it is made clear that he will not participate in the instruction/riding/administration and the affairs of the horse riding school till the conclusion of the criminal case pending against him. The contemnors have submitted before this Court that there is no uniform policy for the purpose of running a horse riding school, which has been adopted by the various districts across the State and the same is yet to be formulated, based on the practical necessities of the district concerned, the aforementioned documents are required.



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5. Recording the same, the contempt petitioner is directed to make an application for obtaining the necessary permission as detailed supra to the respective departments forthwith. On receipt of the said applications, within a period of three weeks therefrom, the authorities are directed to process the application and make necessary inspection in the premises of the horse riding school and grant necessary permission, if the horse riding school is otherwise eligible. However, during the interregnum, on the request of the learned counsel for the petitioner that the horse riding school may be permitted to conduct summer camps pending permission, the contempt petitioner horse riding school is permitted to conduct summer camps during vacation pending permission, following the Standard Operative Procedures. The Standard Operating Procedures are devised as follows:-

“4. Standard Operating Procedures:-

Standard Operating Procedures (SOPs) are necessary for a range of training activities involving horses. Each SOP provides a description of an activity that includes information on alternatives, safety, preparation, the procedure itself, the post procedure and any underpinning skills. The following points should be noted:

- Educators must follow SOPs where available*
- Educators must provide participants with access to the relevant SOPs for the activity being undertaken as well as the ‘Safety*



with Horses' document

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- Educators should expand on the SOPs during program delivery e.g. explain terminology, discuss why actions are required, explain safety and animal welfare issues involved, demonstrate skills, allow participants to practise and assess participants' competency. It is important to contextualise the SOP for local requirements.

Safety:-

Educators are responsible for the safety of all participants and animals involved in horse-related activities. One must follow the relevant policies of their respective Organisation at all times.

a. Handling

Strategies to ensure safe horse handling may include:

- *undertake a risk assessment prior to using horses and determine control measures*
- *ensure you are working in a contained area, with no open gates or opportunity for the horse to escape; facilities must allow for easy egress by participant or Educator*
- *ensure all persons participating in horse activities wear suitable PPE (Personal Protective Equipment)*
- *ensure access to a fully stocked first aid kit including resuscitation mask*
- *ensure gear used is appropriate and in good repair*
- *match participants with suitable horse according to their handling experience and history of the horse's behaviour*
- *lunge difficult horses or those that have not been worked*



for long periods of time prior to use to assess if their behaviour is suitable for horse program activities; Educators to observe and/or ride the horse prior to participant use

- minimise the use of horses that don't interact well with others, e.g. kick or bite*
- inform participants of animal welfare issues prior to handling horses*
- ensure participants are in an appropriate state of physical fitness and mental awareness.*

b. Riding

Strategies to ensure safe riding should build on the handling strategies shown in 5a and may include:

- use a ratio of one Educator to every six participants for riding classes, with a minimum of two Educators (or an Educator and assistant) per group*
- ensure the riding area is safe e.g. good footings, closed gates, hazards removed*
- assess suitability of horses for the riding group prior to the commencement of a riding program e.g. soundness, health, behaviour, level of education*
- establish the riding ability of each participant prior to a riding program*
- match horses to participants e.g. the size of the participant, riding experience, horse's temperament and level of education*
- use a mounting block for beginner riders to save the*



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horse's back, the instructor's health and to assist the rider to mount

- *hold the horse for a beginner rider, check girth, stirrup lengths and width*

- *ensure beginner participants are in direct view all the time until they have demonstrated their ability to have independent control of their horses and have established their fundamental balance and control*

- *use a progression of riding skills to ensure participants ride to their ability e.g. begin in small yard with basic skills until participants are competent to extend themselves into larger yards/arenas and more open spaces.*

- *provide clear instructions to participants at all times*
- *ensure participants are aware of terminology used and can hear the Educator commands; a microphone with speakers or use of other technology may be required in some situations*

- *ensure participants have read and understand local riding rules e.g. allowable space between horses, pass left hand to left hand, slower pace to the inside of the riding area, no stopping on the track, all riders to halt immediately if someone falls off*

- *ensure spectators are outside the riding arena and do not interfere with, or affect the riding activity in any way.*

c. Riding in Open Spaces

Strategies to ensure safe riding in open spaces should build on the handling and riding strategies shown in IIa and IIb and may include:

- *use a minimum of two Educators (or Educator and an*



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assistant) per group

hand

- ensure first aid equipment and trained first aider are at hand
- obtain information about the riding history of the horses to be used; assess horses by having an Educator; the person testing the horse should simulate an unbalanced/beginner rider
- ensure participants have the required skills to handle and ride horses in open spaces prior to the commencement of the activity
- choose horses suitable to be ridden by participants in the designated open space
- undertake hazard identification, risk assessment and determine control measures on the day of the activity; in particular analyse presence of stock, presence of people, weather conditions, other activities occurring and the suitability of gear to update the information possibly gathered at an earlier time
- develop a plan to cater for emergencies
- ensure telephone/radio access to Emergency Services
- ensure participants wear appropriate PPE at all times
- ensure participants are dressed appropriately for the foreseeable weather conditions
- provide participants with clear instructions about the activities required and what to do if problems or an accident arise
- ride in formations appropriate to the terrain and conditions
- have participants dismount at an appropriate place at the conclusion of the activity (as determined by the risk assessment).”



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WEB COPY 6. Accordingly, the Contempt Petition stands closed.

28.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



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L.VICTORIA GOWRI, J.

MRN

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