



W.P.Crl.(MD)No.2576 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05.01.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.Crl.(MD)No. 2576 of 2025

and

W.M.P(MD)No. 611 of 2025

Ettappan

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 1st respondent made in Na.Ka.No. 106/Se.Mu.Aa./Kaa.Thu.Ka/Nanguneri/2025 dated 02.12.2025 and quash the same and consequently to direct the respondents to grant permission and adequate police protection to the petitioner to conduct the Barefoot Cock fighting competition on 11.01.2026 between 9.00 a.m., and 6.00 p.m., in the land in Survey No.131/2A, Thennimalai, Nanguneri Taluk, Tirunelveli District by considering the petitioner's representation 09.12.2025 within the time limit, that may be stipulated by this Court.



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For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Criminal Side),

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ORDER

This Writ Petition has been filed for *Writ of Certiorarified Mandamus*, to quash the

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl. Side) appearing for the respondent police and perused the materials available on record.

3. Through the impugned order dated 02.12.2025, the respondents refused permission and further stated that if the petitioner conducts any such 'Barefoot Cock-Fight competition', appropriate criminal proceedings would be initiated against the petitioner. Aggrieved by the same, the present writ petition has been filed.

4. The contention of the petitioner is that ' Barefoot Cock-Fight' is one of the customary festivals in Tamil Nadu and the same is conducted during the festival. Since it is a customary practice, the petitioner seeks to continue the same.



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5. *Per contra*, the respondents vehemently objected, stating that the Hon'ble Division Bench of this Court declined permission vide order dated 21.05.2014 in W.P.(MD) No.8040 of 2014. Following the same, a learned Single Judge of this Court also declined permission vide order dated 09.10.2025 in W.P.(MD) No.27950 of 2025. However, another Hon'ble Division Bench of this Court, vide order dated 29.04.2025 in W.P.(MD) No. 13048 of 2025, permitted the conduct of 'Kidaa-Muttu'. Since 'Cock-Fight' is stated to be similar in nature, the petitioner seeks similar permission.

6. Further, another learned Single Judge of the Principal Bench at Madras, vide order dated 15.04.2025 in W.P. No.13309 of 2025, had permitted the conduct of 'Cock-Fight'.

7. Since there are inconsistent orders, the respondent police submitted that permission cannot be granted. However, the learned counsel appearing for the petitioner submitted that the Hon'ble Principal Bench passed an order dated 13.08.2025 in W.P. Nos.25985, 25986 and 25987 of 2025 in the case of *Gauri Maulekhi Vs. The Additional Chief Secretary, Home and five other*, wherein the earlier order dated 21.05.2014 passed in W.P.(MD) No.8040 of 2014 was referred to, and appropriate directions were issued. The



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relevant paragraph Nos.3 to 5 are extracted hereunder:

.....

*“ 3.The issue raised is with regard to the alleged cruelty on birds during the cock fight. Number of orders have been brought to the notice of this Court by learned Senior Counsel for the petitioners, including the decision in the case of **S.Kannan V. The Commissioner of Police, Madurai City, Madurai and others**, reported in 2014(3) CTC 676.*

4. Learned State counsel prays for and is granted three weeks' time to file reply.

5. Taking into consideration the earlier orders passed by this Court and the provisions contained in the Tamil Nadu Gaming Act, 1930 and the Prevention of Cruelty to Animals Act, 1960, it is directed that, in any event involving cocks, the provisions of the aforesaid Acts shall be scrupulously followed and neither any gaming will be allowed, nor any kind of cruelty by tying knives, blades or stitching of eyes or any such activity be allowed. It shall be the responsibility of the Police Administration to take appropriate action, if any such incident of violation is reported.”

8. Following the same, the Director General of Police issued a circular dated 28.08.2025, directing all police officials to scrupulously follow the said order without any deviation. On perusal of the same, it is seen that the Hon'ble Principal Bench directed that 'Cock-Fight' may be allowed, provided there is no gaming and no cruelty is involved, and that tying knives or blades or stitching eyes is strictly prohibited.



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9. Therefore, this Court is inclined to dispose of this writ petition,

subject to the following conditions:

1. The Society for the Prevention of Cruelty to Animals (SPCA) shall assist during the conduct of 'Barefoot Cock-Fight competition'.
2. The SPCA shall verify that no knives or blades are tied and that the cocks eyes not stitched in any manner.
3. Only after such verification, the cocks may be permitted to participate in 'Barefoot Cock-Fight competition'.

10. With these directions, this writ petition is disposed of. The impugned order dated 02.12.2025 is hereby set aside. The respondents shall grant permission subject to the production of a certificate issued by the Society for the Prevention of Cruelty to Animals. After obtaining such certificate, the petitioner is at liberty to choose any day and seek permission accordingly. Consequently, connected miscellaneous petition is closed.

05.01.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes

KSA

Note : Issue order copy on 11.02.2026



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To

1. The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.
2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J.

KSA

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