



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.05.2017

CORAM:

THE HON'BLE Mr.JUSTICE M.V.MURALIDARAN
and
THE HON'BLE Mr.JUSTICE N.SESHASAYEE

W.P(MD)No.9157 of 2017

G.Manickam

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

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

3.The Inspector of Police,
Town Police Station,
Pattukottai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant permission to the petitioner's association for conducting cock fight at near Perumal Kovil Street, Aranthangi Main Road, opposite to Kalliamman Temple on 10.06.2017 and 11.06.2017.

For Petitioner : Mr.AN.Ramanathan

For Respondents : Mr.T.R.Janarthanan,
Additional Government Pleader.

O R D E R

(Order of the court was made by M.V.MURALIDARAN,J.)

This writ petition has been filed seeking a writ of Mandamus to direct the respondents to grant permission to the petitioner's association for conducting cock fight at near Perumal Kovil Street, Aranthangi Main Road, opposite to Kalliamman Temple on 10.06.2017 and 11.06.2017.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent, the writ petition itself is taken up for final disposal.

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3. The learned counsel appearing for the petitioner would contend that every year in the village, the villagers used to conduct cock fight which is a traditional game. It is contended that this year also seeking permission from the authorities to conduct cock-fight on 10.06.2017 and 11.06.2017, the petitioner made a representation to the first respondent on 12.05.2017, but the same was not considered by the first respondent so far. Hence, the petitioner is constrained to approach this Court with the present writ petition for the aforesaid relief.

4. It is contended that in a number of similar matters, this Court has directed the authorities to grant permission to conduct cock-fight, imposing certain conditions.

5. The learned Additional Government Pleader appearing for the respondents would submit that in the event of this Court granting permission, stringent conditions may be imposed for the smooth conduct of the event.

6. Accordingly, the respondents are directed to give permission to the petitioner to conduct cock-fight on 10.06.2017 and 11.06.2017, subject to the following conditions:

(i) It is made clear that such an event shall be supervised by the fourth respondent as well as by the Veterinary Doctor of nearby Government Veterinary Hospital.

(ii) It is further made clear that during the course of conducting 'cock fight', there should not be any injury to be caused to the birds and the birds should not be intoxicated, with any alcoholic substance and no knives should be tied around the legs of the birds, with the tip of the knives dipped in poisonous substances. The Veterinary Doctor shall ensure the same before the actual starting of the event.

(iii) The petitioner shall bear the expenses towards police protection as well as the expenses towards the Veterinary Doctor.

(iv) It is made clear that the organiser should take pre-cautionary measures to avoid any untoward incident while conducting the event of cock-fight.

(v) Songs praising communal leader or having communal overtones should not be played.

The petitioner will ensure that no flex board or hoardings depicting particular community or leader is displayed.



(vii) All the above terms and conditions should be followed scrupulously by the petitioner and the petitioner shall file an affidavit of undertaking to the said effect before the third respondent.

(viii) The petitioner volunteers to donate a sum of Rs.5,000/- (Rupees Five Thousand only) to any one of the Orphanages in the District and payment of proof shall be produced before the third respondent".

7. The writ petition is disposed of in the above terms. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Thanjavur District,
Thanjavur.

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

3.The Inspector of Police,
Town Police Station,
Pattukottai.

+1cc to SPECIAL GOVERNMENT PLEADER in SR. NO.56919
+1cc to M/s. A.N.RAMANATHAN Advocate in SR. No.56632

PS/SSL
JS/MMS/SAR.3/19.05.2017/3P-6C

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