

W.P.(MD) No.7626 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.7626 of 2026

Azhakesan

... Petitioner

Vs.

- 1.The Director,
Tamil Nadu Animal Welfare Board,
Chennai.
- 2.The Chief Executive Officer,
Tamil Nadu Animal Welfare Board, Chennai.
- 3.The Join Director,
Animal Welfare Board, Tirunelveli.
- 4.The District Collector,
Tirunelveli District.
- 5.The Superintendent of Police,
Tirunelveli District.
- 6.Nigel Otter (WVS),
India Project For Animals and Nature,
Manavella, Nilgiris District.

- 7.John Samuel,
India Project for Animals and Nature,
Manavella, Nilgiris District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
for issuance of a Writ of Mandamus directing the first respondent to



W.P.(MD) No.7626 of 2026

consider and pass appropriate orders on petitioner's representation dated 19.01.2026, within a time frame fixed by this Court and consequently direct the respondents to hand over petitioners 24 dogs presently kept at the Nilgiris dog shelter to the petitioner.

For Petitioner	: Mr.S.Muthu Malai Raja
For R1 to R4	: Ms.P.Sudarkodi Natchiyar Government Standing Counsel
For R5	: Mr.P.Vetrivel Government Advocate (Criminal side)
For R6 and R7	: Mr.J.Sankarapandian

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to consider and pass appropriate orders on the petitioner's representation dated 19.01.2026, within a time frame to be fixed by this Court and, consequently, to direct the respondents to hand over the petitioner's 24 dogs, which are presently housed at the Nilgiris Dog Shelter, to the petitioner.

2. The petitioner was arrested in connection with Crime No.1 of 2016 on the file of the District Crime Branch Police Station, Kanyakumari. It appears that the petitioner was taken into custody on



W.P.(MD) No.7626 of 2026

10.12.2025. At the relevant point of time, the petitioner was maintaining about 29 dogs of native and other breeds. It further appears that, following his arrest, the petitioner had made arrangements through a friend to take care of the dogs. However, owing to infighting among the dogs in the petitioner's absence, four of them are stated to have died. In the aforesaid circumstances, with the assistance of the official respondents, the respondents 6 and 7 took custody of the remaining dogs, which are presently housed at the Nilgiris Dog Shelter.

3. The petitioner submits that, apart from the proceedings in Crime No.1 of 2016 on the file of the District Crime Branch Police Station, Kanyakumari, one Maharajan, stated to be associated with an Animal Welfare Organisation at Tirunelveli, lodged a complaint before the Manur Police Station. Based on the said complaint, Crime No.70 of 2026 came to be registered on 13.01.2026 for alleged offences under various provisions of the Prevention of Cruelty to Animals Act, 1960.

4. The learned counsel for the petitioner submitted that the dogs presently in the custody of the respondents 6 and 7 may be directed to be returned to the petitioner. It was further submitted that the petitioner is

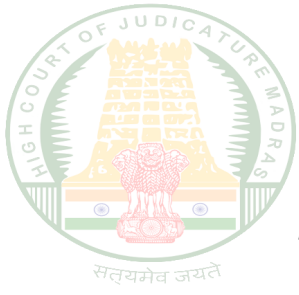


W.P.(MD) No.7626 of 2026

neither engaged in the business of breeding nor trading in dogs and is only an animal lover who has been maintaining them out of genuine concern and affection.

5. The learned Standing Counsel appearing for the official respondents contended that the petitioner is an illegal breeder. However, in the absence of any material placed before this Court to substantiate the said allegation, there is no justification for permitting the respondents 6 and 7 to continue retaining custody of the dogs.

6. Accordingly, the respondents 6 and 7 are directed to hand over the remaining dogs presently in their custody to the petitioner as expeditiously as possible, ensuring that no harm is caused to the animals during the process. It is made clear that, if, upon due enquiry, the petitioner is found to have indulged in illegal breeding of dogs or to have violated any of the provisions of the Prevention of Cruelty to Animals Act, 1960, or any other applicable law, it is always open to the competent authorities to initiate appropriate proceedings against the petitioner, strictly in accordance with law and after affording him due opportunity.



W.P.(MD) No.7626 of 2026

7. The Writ Petition stands disposed of accordingly. There shall be

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NCC : Yes / No
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W.P.(MD) No.7626 of 2026

C.SARAVANAN, J.

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W.P.(MD) No.7626 of 2026

15.07.2026