

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 4829 of 2012 (S)

PETITIONER(S):

**THE SOCIETY FOR PREVENTATION OF CRUELTY TO ANIMALS(SPCA)
REPRESENTED BY ITS PRESIDENT M.N.JAYACHANDRAN
P.B. NO.66, ERAPOOZHICKARA BUILDING, PALA ROAD
THODUPUZHA 685584**

BY ADV. SRI.BRIJESH MOHAN

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
ERNAKULAM, CIVIL STATION, ERNAKULAM 682024**
- 2. THE REVENUE DIVISIONAL OFFICER, MUVATTUPUZHA,
ERNAKUALM DISTRICT 686661**
- 3. ANIMAL WELFARE BOARD OF INDIA,
REPRESENTED BY ITS SECRETARY, THIRD SEAWARD NAGAR
VALMIKI NAGAR, THIRUVANMIYLOOR, CHENNAI 600041**
- 4. KAKKOOR KALAVAYAL KARSHIKA MELA COMMITTEE,
KAKKOOR PO, ERNAKULAM DT PIN 686 662,
REPRESENTED BY ITS SECRETARY.**

R3 BY ADV. SRI.K.JAJU BABU

R3 BY ADV. SMT.M.U.VIJAYALAKSHMI

R4 BY ADV. SRI.JIBU P THOMAS

BY SPL. GOVERNMENT PLEADER SMT.GIRIJA GOPAL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11-09-2015,
ALONG WITH WPC. 4831/2012, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: COPY OF THE JUDGMENT DT 20/2/2004 OF THIS HON'BLE COURT IN WPC 5671/2004

EXT.P2: COPY OF THE ORDER NO.A8-5291/2003 DT 28/2/2009 OF THE 2ND RESPONDENT

EXT.P3: COPY OF THE DO LETTER NO.35/2009-PCA DT 6/7/2009 ISSUED BY THE 3RD RESPONDENT TO THE DISTRICT COLLECTOR, PATHANAMTHITTA

EXT.P4: COPY OF THE JUDGMENT DT 12/8/2009 OF THIS HON'BLE COURT IN WPC 22271/2009

EXT.P5: COPY OF THE ORDER NO.A9 5921/04 DT 21/2/2011 ISSUED BY THE 2ND RESPONDENT TO THE 4TH RESPONDENT

EXT.P6: COPY OF THE JUDGMENT DT 11/3/2011 OF THIS HON'BLE COURT IN WPC 7783/2011

EXT.P7: COPY OF THE REPORT DT 17/3/2011 OF THE ADVOCATE COMMISSIONER IN WA 343/2011 OF THIS HON'BLE COURT.

EXT.P8; COPY OF THE JUDGMENT DT 21/3/2011 IN WA 343/2011 OF THE DIVISION BENCH OF THIS HON'BLE COURT

EXT.P9: COPY OF THE NOTIFICATION DT 11/7/2011 OF THE CENTRAL GOVERNMENT

EXT.10: COPY OF THE COMMUNICATION F. NO.21/89/2011-AWD DT 27/10/2011 ISSUED BY THE CENTRAL GOVERNMENT

EXT.P11: COPY OF THE PROCEEDINGS DT 16/2/2012 OF THE 2ND RESPONDENT, VIDE NO.A8-5291/2003.

EXT.P12: COPY OF THE LETTER DT 22/2/2012 ISSUED BY THE PETITIONER TO THE 2ND RESPONDENT

EXT.P13: COPY OF THE E-MAIL COMMUNICATION DT 24/2/2012 VIDE NO.9-2(2011-12/PCA) SENT BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT.

EXT.P14: COPY OF THE NOTICE PUBLISHED REGARDING THE COMPETITIONS SCHEDULED TO BE HELD ON 1/3/2012 AT KAKKOOR KALAVAYAL FESTIVAL.

//True Copy//

PS to Judge

Rp

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) Nos. 4829 & 4831 of 2012

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Dated this, the 11th day of September, 2015

J U D G M E N T

Shaffique, J.

These writ petitions have been filed challenging the use of bullocks for cattle race, which according to the petitioners are against the statutory provisions under the Prevention of Cruelty to Animals Act, 1960.

We have already decided the said issue in WA No.1125/2015 relying upon the Supreme Court judgment in ***Animal Welfare Board of India v. Nagaraja*** [(2014) 7 SCC 547]. The matter is no longer *res integra*. Bulls cannot be used for the purpose of any exhibition. Therefore, relying upon the aforesaid judgment, these writ petitions are disposed of.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp