

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C) .No. 27529 of 2013 (S)

PETITIONER(S) :-

GEORGE, AGED 35 YEARS, S/O. JOSE,
KOZHUKULLI HOSE, PALLIKUNNU,
VARANDARAPPILLY, THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA

RESPONDENT(S) :-

1. THE SUB INSPECTOR OF POLICE
VARANDARAPPILLY POLICE STATION, VARANDARAPPILLY
THRISSUR DISTRICT - 680 303.
2. VARANDARAPPILLY GRAMA PANCHAYATH,
VARANDARAPPILLY P.O., THRISSUR DISTRICT
REPRESENTED BY ITS SECRETARY, PIN - 680 303.
3. THOMAS, S/O. PAULOSE, THATTASSERI HOUSE, PALLIKUNNU
PALLIKUNNU, VARANDARAPPILLY, THRISSUR DISTRICT.
4. JOHSON, S/O. OUSEPH, CHONADAN HOUSE, PALLIKUNNU
VARANDARAPPILLY, THRISSUR DISTRICT.
5. MICHAEL, S/O. VARUTHUNNY, KORAN HOUSE, PALLIKUNNU
VARANDARAPPILLY, THRISSUR DISTRICT.
6. VARUTHUNNY, S/O. MICHAEL, PALLIKUNNU,
VARANDARAPPILLY, THRISSUR DISTRICT.

R3-R5 BY ADV. SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU
R2 BY ADV. SRI.C.A.CHACKO
R1 BY SR.GOVERNMENT PLEADER SRI.P.I.DAVIS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-03-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT-P1-TRUE COPY OF THE PHOTOGRAPH OF ONE OF SUCH SHED AND THE WASTE GENERATED.

EXHIBIT-P1(a)-TRUE COPY OF THE PHOTOGRAPH SHOWING THE WASTE GENERATED.

EXHIBIT-P1(b)-TRUE COPY OF THE PHOTOGRAPH SHOWING THE WASTE GENERATED.

EXHIBIT-P2-TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 25/10/2013 ALONG WITH ENGLISH TRANSLATION.

EXHIBIT-P2(a)-TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 25/10/2013 ALONG WITH ENGLISH TRANSLATION.

EXHIBIT-P3-TRUE COPY OF THE RECEIPT DATED 26/10/2013 ISSUED BY VARANDARAPPILLY PANCHAYATH ALONG WITH ENGLISH TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.27529 of 2013

Dated this the 6th day of March 2015

J U D G M E N T

Shaffique, J.

This writ petition is filed in the form of Public Interest
Litigation seeking the following reliefs :-

- "(i) Issue a writ in the nature of mandamus commanding the respondents 1 and 2 to ensure that no slaughter house or illegal slaughtering of animals are conducted by respondent 3 onwards, in Pallikunnu area of Varandarappilly Panchayat.
- (ii) Issue a writ in the nature of mandamus commanding the 2nd respondent to take adequate and effective steps for the functioning of slaughter house belonging to the Varandarappally Panchayat within such time as may be fixed by this Hon'ble Court."

2. It is inter alia contended by the petitioner that three slaughter houses are being conducted within the area of 2nd respondent Panchayat violating the provisions of the Kerala Panchayat Raj (Slaughter Houses and Meat Stalls) Rules, 1996. Though several complaints had been raised by the people in the locality about the illegal functioning of such slaughter houses, no action has been taken by the Panchayat. That apart, the functioning of the slaughter houses is causing

substantial pollution in the area and is affecting the hygiene of the public at large.

3. A counter affidavit has been filed on behalf of the 2nd respondent inter alia stating that the Panchayat shall conduct periodical check up of the areas coming within the jurisdiction of the Panchayat to see that there is no slaughter house functioning without licence, and the slaughter houses are functioning in clean and healthy atmosphere. It is also stated that the Health Inspector, Primary Health Centre, Varantharappilly shall inspect the slaughter houses and meat stalls to check whether they are running in compliance with the conditions of the licence issued as per the Rules, 1996.

4. Learned counsel appearing for the Panchayat submits that as matters stand now, no slaughter house is being functioning in the Panchayat. In respect of the illegal slaughter house, timely action has been taken by issuing stop memos. It is inter alia contended that no such slaughter house is functioning in the area at present.

5. Learned counsel appearing for respondents 3 and 4 submits that they are not conducting any slaughter house now.

-: 3 :-

6. Learned Government Pleader submits that the instructions reveal that no slaughter house is functioning in the area in question.

Under such circumstances, we do not think that any further direction is required to be issued in this writ petition. However, we only observe that the Panchayat shall ensure that no illegal slaughter house functions in the Panchayat area.

With the above observation, this writ petition is disposed of.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE