

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10520 of 2015
and M.P.No.1 of 2015

Prakash Sasha

.. Petitioner

Versus

1.The State of Tamilnadu
Rep. by the Secretary to Government
Environment & Forest Department,
Secretariat, Fort St. George,
Chennai - 9.

2.The Chief Wild Life Warden
Forest Department,
Government of Tamilnadu,
Panagal Maaligai,
Saidapet, Chennai - 15.

3.A.Tajudinn

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to rescue a privately owned elephant and relocate him to a suitable wildlife rehabilitation sanctuary, in terms of the representation made by the petitioner herein, in his letters dated 17.01.2014, 05.02.2014 and 07.11.2014.

For Petitioner : Mr.Sathish Parasaran

For Respondents : Mr.S.Jabanathan (for R1 and R2)
Government Advocate

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The grievance expressed by the petitioner is that, the 3rd respondent without permission whatsoever is not only using the elephant illegally for purpose of begging, but subjecting it to immense cruelty and thereby violating the provisions of Wildlife Protection Act, 1972 and the Prevention of Cruelty to Animals Act, 1960 and in this regard he has submitted representations dated 17.01.2014, 05.02.2014 and 07.11.2014, to the 2nd respondent and since no response is forthcoming, came forward to file this writ petition.

3. Heard the submissions of Mr.Sathish Parasan, learned counsel appearing for the petitioner and Mr.S.Jabanathan, learned Government Advocate, who accepts notice for respondents 1 and 2

4. Taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the representations, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 17.01.2014, 05.02.2014 and 07.11.2014, after putting the 3rd respondent, on notice and pass orders, as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well to the 3rd respondent.

5. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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TO

1. The State of Tamilnadu
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2. The Chief Wild Life Warden
Forest Department,
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Saidapet, Chennai - 15.

W.P.No.10520 of 2015

MG(CO)
Eu 24.04.2015