

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P.No.5067 of 2015

V.V.Balasubramanian

..Petitioner

vs.

1. The District Collector
Tiruvallur District 602 001.

2. The Block Development Officer
Villivakkam Panchayat Union
Villivakkam, Ambattur 600 053.

3. The President/Executive Officer
Vanagaram Village Panchayat
Vanagaram Post
Chennai 600 095.

4. Mrs.B.N.Sankaramba

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying to issue a writ of mandamus, to direct the respondents 1 to 3 to clear off or remove all pet dogs and stray dogs, which are continuously giving menace from the fourth respondent's house within the time limit as may be fixed this Court.

For Petitioner : Mr.A.Rajesh Kanna

For Respondents : Mr.P.Karthikeyan

Government Advocate for RR1

Mr. D. Suriyanarayanan for R2 & R3

Mr.P.Sankara Narayanan for R4

ORDER

Heard the learned counsels appearing on behalf of the petitioner, as well as the respondents.

2. This writ petition has been filed praying that this Court may be pleased to issue a WRIT OF MANDAMUS, directing the respondents 1 to 3 to clear off or remove all pet dogs and stray dogs, which are continuously giving menace from the fourth respondent's house, within a time frame that may be fixed by this Court.

3. The main contention raised on behalf of the petitioner is that the petitioner is put to lot of hardship, due to the nuisance caused by the stray dogs and by the pet dogs belonging to the fourth respondent. In spite of a number of representations having been made to the respondents 1 to 3, no serious steps have been taken by them to ensure the safety of the petitioner and to reduce the nuisance caused by the stray dogs and the pet dogs belonging to the fourth respondent.

4. From the available records, it is noted that the third respondent had caused an enquiry and had issued a communication to the petitioner, dated 30.11.2009, relating to the same issue. It is also noted that the petitioner has not made any further representation after 11.10.2010, in this regard.

5. In such circumstances, this Court finds it appropriate to permit the petitioner to submit a detailed representation to the third respondent, with regard to the reliefs prayed for by the petitioner, in the writ petition, within a period of 15 days from the date of receipt of a copy of this order. On receipt of such representation, the third respondent shall cause an enquiry and take appropriate steps relating to the matter, as expeditiously as possible. However, it is made clear that no harm shall be caused to the animals, while such steps are being taken, by the respondents.

6. The writ petition is disposed of, with the above direction. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vj2

To

1. The District Collector
Tiruvallur District 602 001.
2. The Block Development Officer
Villivakkam Panchayat Union
Villivakkam, Ambattur 600 053.

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3. The President/Executive Officer
Vanagaram Village Panchayat
Vanagaram Post
Chennai 600 095.

1 cc to Mr.A. Rajeshkanna, Advocate, Se. 36721
1 cc to Mr.P. Sankaranarayanan, Advocate, Sr. 36662
1 cc to Mr.D. Suryanarayanan, Advocate, Sr. 36785
1 cc to Government Pleader, Se. 37521

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