

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.29468 of 2019

S.Muralidharan Petitioner
Versus

The Principal Chief Conservator of Forests & Chief
Wildlife Warden,
Department of Forest, Government of Tamil Nadu
No.1, Jeenis Road, Panagal Buildings,
Saidapet, Chennai 600 015.
Respondent

PRAYER:- Writ petition filed under Article 226 of the
Constitution of India prays to issue a Writ of Mandamus
forbearing the respondent from leaving the Elephant calf
Ammukutty in the forest, and instead rear it any zoo, or in any
elephant camps.

For Petitioner : Mr.SP.Chockalingam

For Respondents : Mrs.Thanga Vadhana Balakrishnan

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

The present writ petition is filed as a Public Interest
Litigation and according to the learned counsel appearing for
the petitioner, three months old female elephant calf has been
left alone and despite many attempts being made by the Forest
Department officials to unite it with the herd, it has not been
ended successfully and despite that further attempts are made
and in that event there is every possibility of the elephant
calf may got injured or unable to cope up with the herd also and
hence prays for appropriate orders. The writ petition was
entertained and notices was ordered.

2. The learned counsel appearing for the sole respondent had
submitted a proceedings of the 1st respondent dated 23.10.2019 in

Proc.No.WLI/47125/2019 and it is relevant to extract the following order:

ORDER

After careful consideration of the SOP, the expert opinion given by Thiru.Ajay Desai, Elephant Expert, Consultant WWF and the field conditions described by the District Forest Officer & Deputy Director, Sathyamangalam Forest Division, it is very clear that the abandoned elephant calf cannot be rehabilitated in the wild as further attempt to reunite the calf with its mother / natal herd are not likely to result in success and would only endanger the health of the elephant calf and hence the abandoned elephant needs to be shifted an Elephant Camp for its further upkeep and maintenance. Therefore, I hereby order that as per Section 11 (1) (a) of the Wildlife (Protection) Act, 1972 read with proviso, the Chief Conservator of Forests & Deputy Director, Sathyamangalam Forest Division are requested to take necessary action for transporting the abandoned elephant calf from Sathyamangalam Tiger Reserve to Mudumalai Tiger Reserve elephant camp which lies in the Nilgiris Biosphere landscape, for further upkeep and maintenance. There should be minimum trauma or harm caused to the animal during the transportation. The Additional Principal Chief Conservator of Forest & Field Director, Mudumalai Tiger Reserve is also requested to make necessary arrangements in advance in the elephant camp for upkeep of the abandoned elephant calf in a safe manner.

3. In the light of the fact that the elephant calf is going to be shifted to Mudumalai District Forest Reserve for its upkeep in a safe manner, no further orders are necessary in this Writ Petition. It is needless to state once again that utmost care is to be bestowed to bring the elephant calf in a safe manner and periodical monitoring is also to be done as to the health and other conditions of the said animal.

4. In the result, the writ petition stands closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

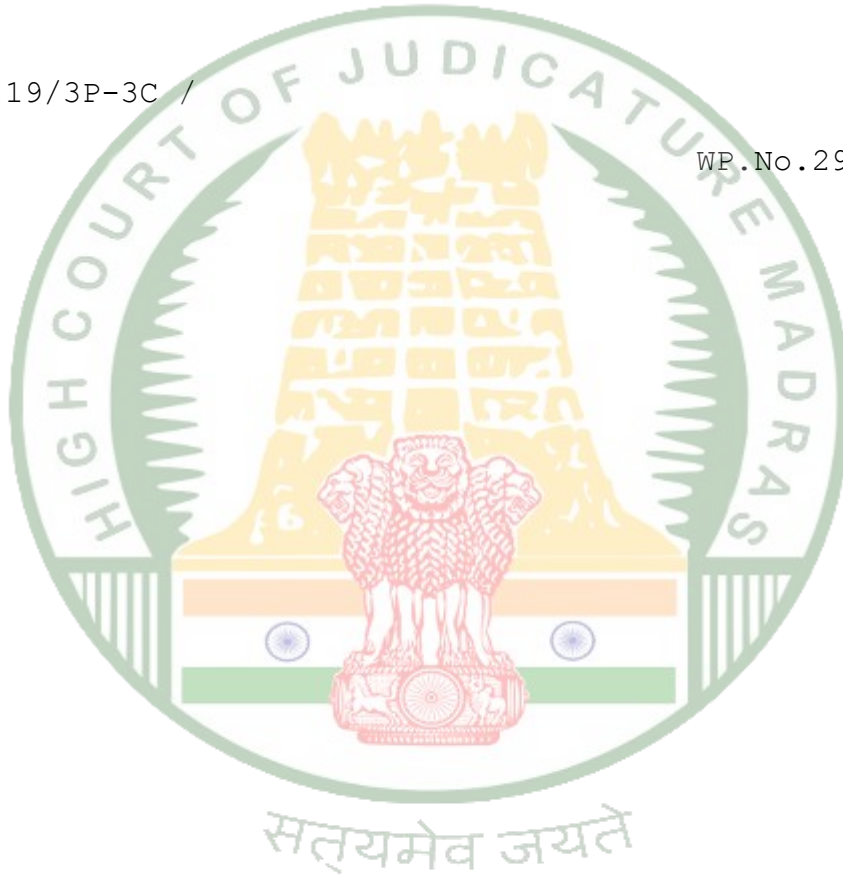
To

The Principal Chief Conservator of Forests & Chief
Wildlife Warden,
Department of Forest, Government of Tamil Nadu
No.1, Jeenias Road, Panagal Buildings,
Saidapet, Chennai 600 015.

+1 cc to The Government Pleader Sr.No. 89291

AKM/04.12.19/3P-3C /

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