

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4.2.2019

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.31413 of 2018 and
W.M.P. No.36610 of 2018

T.Pandurangan ... Petitioner

Vs.

1. The Commissioner
Hindu Religious & Charitable Endowment Department
Uthamar Gandhi Salai
Thousand Lights West, Nungambakkam
Chennai - 600 034
2. The Joint Commissioner
Hindu Religious & Charitable Endowment Department
Coimbatore - 18
3. The Assistant Commissioner
Hindu Religious & Charitable Endowment Department
Coimbatore - 18
4. The District Collector
Coimbatore District
Coimbatore

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for a writ of mandamus directing the respondents herein not to conduct Elephant Rejuvenation Camp in Thekkampatti Village, Mettupalayam Taluk, Coimbatore District.

For Petitioner : Mr.G.Karthikeyan

For Respondent : Mr.M.Maharaja, Spl. GP for R1 to R3

Mr.E.Manokaran, AGP for R4

ORDER

(delivered by S.MANIKUMAR, J)

Contending inter alia that location of elephant rejuvenation camp at Thekkampatti Village, Karamadai Union, Mettupalayam Taluk, conducted by the Hindu Religious & Charitable Endowment Department, has caused 16 valuable human lives from 2012 to 2018 and several thousand crores of money invested in drinking water schemes, has been polluted by elephants and though a representation dated 26.12.2017 has been submitted to the Joint Commissioner of HR&CE Department requesting him to change the place of rejuvenation camp, but replied, stating that the camp for the year 2017-2018 conducted from 4.1.2018 to 20.2.2018 is already over and that the venue for the camp for 2018-2019 would be considered at a later stage, and therefore, the respondents have not discharged their duties cast upon them, instant writ petition, has been filed for a mandamus.

2. Mr.M.Maharaja, learned Special Government Pleader appearing for HR&CE Department, submitted that elephant rejuvenation camp, has been conducted for many years. On instructions, Mr.E.Manokaran, learned Additional Government Pleader submitted that there is no loss of life. Fact as to whether there was lose of life, is disputed. The rejuvenation camp for the year 2017 - 2018 is over. Now it is for the authorities to consider as to whether location of elephant camp at Thekkampatti Village, Karamadai Union, Mettupalayam Taluk, is necessary for the ensuing years or not, Mandamus as such, is not required to be issued.

3. Accordingly, the writ petition is dismissed. However, there shall be no order as to cost. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

asr

To

1. The Commissioner
Hindu Religious & Charitable Endowment Department
Uthamar Gandhi Salai
Thousand Lights West, Nungambakkam
Chennai - 600 034

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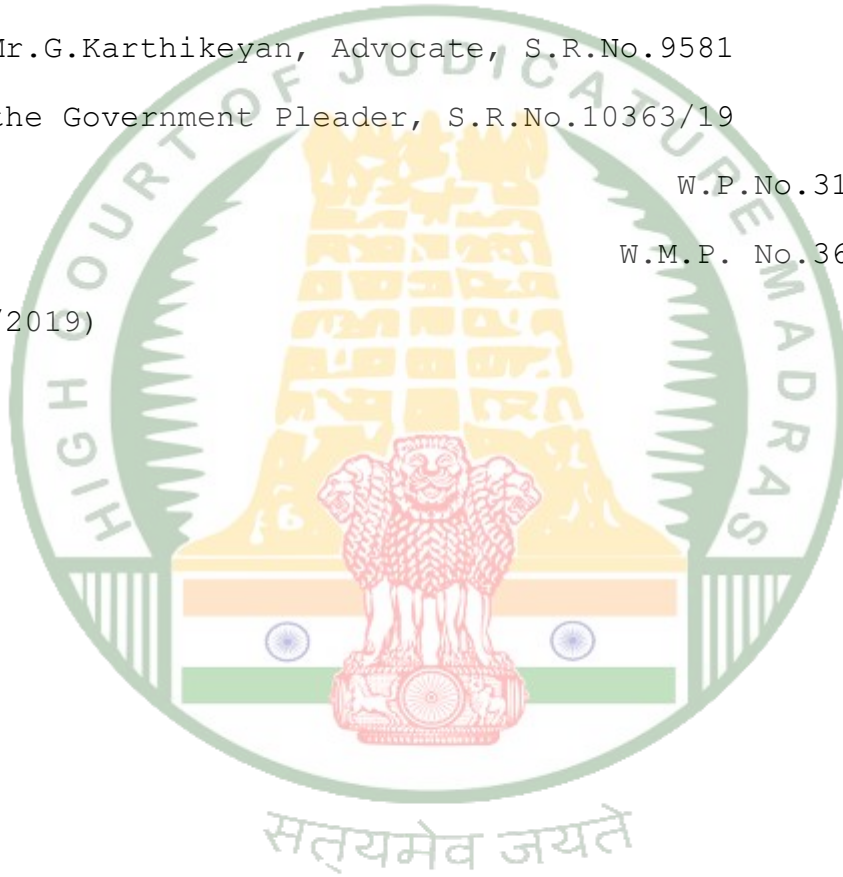
+1 cc to Mr.G.Karthikeyan, Advocate, S.R.No.9581

+1 cc to the Government Pleader, S.R.No.10363/19

W.P.No.31413 of 2018
and

W.M.P. No.36610 of 2018

AK(CO)
SSM(06/03/2019)



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