



W.P.(MD)No.24445 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.10.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD)No.24445 of 2023
and W.M.P. (MD) No.20637 of 2023

Praveen Kumar

...Petitioner

-Vs.-

1.The Additional Chief Secretary,
Environment, Climate Change and Forests,
Government of Tamil Nadu,
Namakkal Kavignar Maaligai,
Fort St. George,
Chennai – 600 009.

2.Principal Chief Conservator of Forests
and Chief Wildlife Warden,
Tamil Nadu, No.1, Jeenis Salai Panagal Building,
Saidapet,
Chennai – 600 005.

3.The Chief Conservator of Forest and Field Director,
Kalakad Mundanthurai Tiger Reserve,
NGO 'A' Colony, Tirunelveli,
Tamil Nadu – 627 007.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of Constitution of India,
praying for issuance of a Writ of Mandamus, to forebear the respondents
2 and 3 from using tranquilizer in order to prevent the elephant, namely,



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“Arikomban” from entering into agricultural lands and direct the respondents to monitor the activities of the elephant with the help of satellite radio collar and direct the respondents to appoint an expert team including Adivasies to monitor the elephant directly to pave the elephant's pathway to the deep forest based on the petitioner's representation dated 26.09.2023.

For Petitioner : Mr.K.Dinesh Kumar

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Petition on hand has been instituted to forebear the respondents 2 and 3 from using tranquilizer in order to prevent the elephant, namely, “Arikomban” from entering into agricultural lands and direct the respondents to monitor the activities of the elephant with the help of satellite radio collar and direct the respondents to appoint an expert team including Adivasies to monitor the elephant directly to pave the elephant's pathway to the deep forest based on the representation submitted by the petitioner on 26.09.2023.



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2. The concern of the petitioner is that the respondents are frequently teanquilising the elephant, namely, “Arikomban”, which would endanger the life of the elephant. Thus, present Writ Petition is filed.

3. Learned Government Pleader appearing for the respondents made a submission that the elephant “Arikomban” is now in Kalakadu Mundandurai Tiger Reserve Forest area and the activities of the elephant are closely monitored by the authorities through the GPRS Electronic track. The elephant is peacefully living in the said forest area for the past about five months and there is no complaint from any quarter.

4. High Court cannot monitor the activities of the elephants in the forest area and laws governing the wild life and its protection will take care of the interest of the animals and the forest area and so also the authorities competent are bound to follow the statutes and rules in force in order to protect the life, safety and security of the wild life animals in the forest. Interfering in such matters by the High Court becomes unnecessary and the expert body functioning in the Government has to monitor and take care of the interest of the wild life animals in the forest area. Thus, the very relief sought for is misconcieved and we are not



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inclined to entertain the Writ Petition.

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5. Accordingly, the Writ Petition is dismissed. No costs.

Consequently, connected Writ Miscellaneous Petition is closed.

[S.M.S.J.] & [V.L.N.J.]
10.10.2023

NCC :Yes/No

Index :Yes/No

SJ

To

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