



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 02-01-2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM**

**WP No.12793 of 2020  
And  
WMP No.15807 of 2020**

K.Jayaraman

.. Petitioner

-VS-

1.The Tamil Nadu Government Animal  
Husbandry and Dairying,  
Department of Animal Husbandry and Dairying,  
Represented by its Secretary,  
Padmanapan Stret,  
Ramapuram,  
Ambattur,  
Chennai-600 053.

2.The District Collector Cuddalore,  
Office of the District Collectorate,  
Pennaiyur Road,  
Manjakuppam,  
Cuddalore.





WEB COPY

WP No.12793 of 2



For Petitioner : Mr.Kavin Bharathan for  
Mr.D.Ravichander.  
For Respondents : Mr.P.Balathandayutham,  
Special Government Pleader.

### **ORDER**

The order impugned dated 18.06.2020 is an information provided to the writ petitioner by the fourth respondent-Regional Joint Director of Animal Husbandry Department, Cuddalore.

2. The impugned communication states that the Veterinary Dispensary is now shifted to Vellakarai Village and a new proposed construction is made in the land belongs to the Government. On account of space constraint, policy decision was taken by the Department to shift the Veterinary Dispensary to Vellakarai Village.

3. The learned counsel for the petitioner states that in the event of shifting the Veterinary Dispensary, the petitioner has to take the cattle for



long distance, which would cause inconvenience. The petitioner is ready to offer his own patta land for construction of Veterinary Dispensary in his area at West Ramapuram, Cuddalore District.

4. The learned Special Government Pleader, appearing on behalf of the respondents, raised an objection by stating that the Veterinary Dispensary proposed to be constructed in the Government land for the benefit of the people of that entire locality and in this regard, the District Collector, Cuddalore also passed an order in proceedings dated 27.09.2019 that the land belongs to the Government was allotted for construction of Veterinary Dispensary in Vellakarai Village. That being the factum, the claim of the writ petitioner is liable to be rejected.

5. Constructing Veterinary Dispensary in a particular Government land is the policy decision taken by the Government. The petitioner has no absolute right to claim that the Veterinary Dispensary must be constructed in his village or in any nearby place.



6. It is for the petitioner to avail the benefit of the Veterinary Dispensary by taking his cattle to the place in which the Veterinary Dispensary is situate and contrarily, the petitioner cannot seek direction from the High Court to construct the Veterinary Dispensary nearby to his place. Such relief, as such, sought for by the petitioner is beyond the scope of the powers of the Judicial Review and the High Court cannot interfere with such policy decision taken by the Government for the welfare of the people of that locality. The Veterinary Dispensary has already been constructed in a place or marked by the Government.

7. Therefore, the petitioner has to avail the benefit of the Veterinary Dispensary by taking his cattle to the place whether the Veterinary Dispensary is situate. More-so, the impugned order is a communication, which would not provide any cause for filing the present writ petition. Since the petitioner has not established any semblance of legal right, the present writ petition is not entertainable.



8. With the above observations, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

**02-01-2024**

Index : Yes/No  
Internet: Yes/No  
Speaking order/Non-Speaking order  
Neutral Citation : Yes/No  
Svn



To

1. The Secretary,  
Tamil Nadu Government Animal  
Husbandry and Dairying,  
Department of Animal Husbandry and Dairying,  
Padmanapan Stret,  
Ramapuram,  
Ambattur,  
Chennai-600 053.
2. The District Collector Cuddalore,  
Office of the District Collectorate,  
Pennaiyur Road,  
Manjakuppam,  
Cuddalore.
3. The Deputy Collector,  
Office of the Deputy Collector,  
Cuddalore.
4. The Regional Joint Director,  
Office of Regional Joint Director,  
Animal Husbandry Department,  
Pudupalayam Main Road,  
Veterinary Hospital Campus,  
Cuddalore-607 001.
5. The Assistant Director,  
Animal Husbandry Department,  
Cuddalore.
6. The Block Development Officer,  
(Special Officer),  
Cuddalore.



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WP No.12793 of 2

**S.M.SUBRAMANIAM, J.**

Svn

WP 12793 of 2020

02-01-2024