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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM

**THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN**

**W.P.No. 34083 of 2024**

Edison

... Petitioner

**..Vs..**

1. The District Collector  
Perambalur District.
2. The Sub Collector  
Perambalur.
3. The Commissioner  
Perambalur Municipality  
Perambalur District.
4. The Inspector of Police  
Perambalur Police Station  
Perambalur District.

5. Chenthamarai Selvi

... Respondents

**PRAYER:** Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents 3 to consider petitioner's representation dated 29.07.2024 and to take action including inspection of the 5<sup>th</sup> respondent's premises and displace the dogs.



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|                                |                                                  |
|--------------------------------|--------------------------------------------------|
| For Petitioner                 | :: Mr. D.Deva Arul Samuel Gibson                 |
| For RR 1 & 2                   | :: Mr. Mohamed Sathik<br>Government Advocate     |
| For 3 <sup>rd</sup> Respondent | :: Mr.T.Seenivasan<br>Special Government Pleader |
| For 4 <sup>th</sup> Respondent | :: Mr. R.Vinoth Raja<br>Government Advocate      |
| For 5 <sup>th</sup> Respondent | :: Mr.P.Srinivas                                 |

### **ORDER**

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondents to consider the representation dated 29.07.2024 and take action including inspection of the premises of the fifth respondent and displace the dogs which the fifth respondent is having at that particular place.

2. The petitioner and the fifth respondents are neighbours. The petitioner is residing at Plot No. 7, and the fifth respondent is residing at Plot No.6, both at Renga Nagar, Alampadi Road, Perambalur District. That is a residential area. The petitioner is living with his family. The fifth respondent however appears to have a huge number of dogs with him. Photographs have been enclosed by the petitioner in



his typed set of papers and and a photograph shows that the dogs are not Indian breeds and dogs are used for breeding purposes. When the dogs are used for breeding purposes and kept captivated, the torture they undergo cannot be imagined. They are just objects used for breeding and they are not objects of love and affection. The number of dogs seem to be abundant and they are certainly tortured. There is a photograph of a man with a stick behind his back controlling the dogs.

3. It is contended by the learned Special Government Pleader that the Government has allotted land measuring 0.16.0 area for the fifth respondent, near Siruvachiyur Village in S.No. 289/13. This had been affirmed by the Government in letter Na.Ka.No.397/E/2016 dated 22.08.2024. The fifth respondent has to move away from the place of residence atleast for the benefit of the dogs. If there is love and affection extended then ABC operation must be done for the dogs. They must properly vaccinated. They must lead a peaceful and healthy life. On the other hand, if they are used for breeding purpose, it would only indicate that the fifth respondent is exploiting the dogs for an alternate source of income.



4. It must be kept in mind that the fifth respondent and her husband are working as Government teacher and therefore, as Government servants that have no right to continue to do the business of keeping dogs for breeding purpose, even if they are running a trust. They have to get permission from their higher authorities. Therefore, the entire business operation of the fifth respondent is suspicious. However, since the Government had granted land as aforementioned, a direction is issued that the fifth respondent should shift the dogs to the newly proposed site on or before 10.01.2025.

5. Let the dogs enjoy the pongal holidays in a vast area as provided by the Government on and from 11.01.2025. There should not be any dog kept in Plot No.6, Renga Nagar, Perambalur District.

6. I am also informed that the fourth respondent had inspected the premises. I am further informed that the fifth respondent and her husband had threatened the Officials, that they would complain about the Officials to the Blue Cross. A direction is issued that the fifth respondent must shift the dogs on or before 10.01.2025.

7. The Writ Petition stands allowed. No order as to costs.

16.12.2024

vsg  
Index: Yes/No  
Internet: Yes/No  
Speaking / Non Speaking Order



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To

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Perambalur District.
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**C.V.KARTHIKEYAN, J.,**

*vsg*

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