



WP No. 8210 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2025

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP No. 8210 of 2025

S.Veeraragavan

Petitioner(s)

Vs

1. The Commissioner,
The Greater Chennai Corporation,
Chennai District, Singaravelan Maligai,
Rajaji Salai, Chennai 600 001.

2.The Assistant Health Officer
Zonal-VII Chennai Corporation,
Chennai-Tiruttani Highways,
Kamarajapuram, Ambattur
Chennai 600 053.

3.The Inspector of Police
Ambattur T-1 Police Station,
27, Duraisami Street,
Kamarajapuram, Ambattur,
Chennai 600 053.

4.Hemaphushan
No.5 Vairakulam 2nd Street,
Chittu Oragadam, Ambattur
Chennai 600 053.



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Respondent(s)

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PRAYER: This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to consider therefore representations dated 19.08.2024 for taking actions against the 4th respondent in respect of the 12 dogs being maintained without any sanity creating nuisance and fear to the petitioner and his neighbours.

For Petitioner(s): Mr.M.Kamalakannan

For Respondent(s): M/s.S.Gopinathan
Standing counsel for R1 and R2
M/s.R.Kishore Kumar,
Government Advocate For R3

ORDER

This Writ Petition is filed for issuance of a writ of mandamus to direct the 2nd and 3rd respondents to consider the representation of the petitioner dated 19.08.2024 and to take action against the 4th respondent for creating nuisance and fear to the petitioner and his neighbours for not properly maintaining his dogs numbering 12 that too without any sanitation.

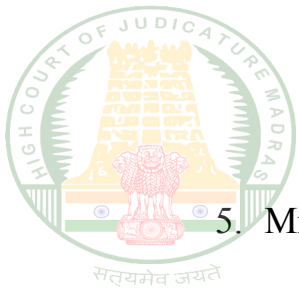
2. Mr. S.Gopinathan, learned Standing Counsel, takes notice on behalf of the respondents 1 & 2. Mr.R.Kishore Kumar, learned Government Advocate, takes notice on behalf of the third respondent.



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WEB CO-3. By consent of the parties, the main Writ Petition is taken up for final disposal at the time of admission stage itself.

4. The learned counsel for the petitioner would submit that adjacent to the petitioner's house is being occupied by Mr.Hemaphushan, 4th respondent herein, who is growing 12 hunting dogs which are very ferocious and violent. Due to constant barking of the said dogs and unbearable foul smell, it creates health hazardous not only to the petitioner's family, but also the other residence in and around the area. That apart, there is no proper fencing for the said dogs. Therefore, the petitioner lodged complaints to the 2nd respondent on 14.08.2024 and 19.08.2024 and he has also made a complaint to the 3rd respondent on 19.08.2024 and the third respondent issued CSR to the petitioner. Since the said complaints/representations have evoked no response, the petitioner submitted a representation before the 1st respondent and the said representation has also not been considered till date. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.



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5. Mr. S.Gopinathan, learned Standing Counsel appearing for the respondents

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1 & 2 would submit that already action has been taken on the petitioner's representation by the first and second respondents by issuing notice to the 4th respondent. Further, he submitted that the 4th respondent has obtained licence for 6 dogs and those dogs were vaccinated and also directed the 4th respondent to put proper fencing for the dogs.

6. Heard both sides and perused the materials available on record.

7. Considering the submissions made on either side and taking into consideration the facts and circumstances and also the relief sought for in this writ petition, this Court passes the following directions:

(i) There shall be a direction to the second respondent to consider the petitioner's representation dated 19.08.2024, on its own merits and pass appropriate orders in accordance with law, by conducting a detailed enquiry after giving due notice to the petitioner as well as the 4th respondent, after affording a reasonable opportunity of hearing to the petitioner, within a period of six (6) weeks from the date



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of receipt of a copy of this order.

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(ii) The 2nd respondent is also directed to furnish a copy of the vaccination

report of the dogs, licence and other relevant documents to the petitioner.

8. With the above observations and directions, this writ petition is disposed of.

No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Commissioner,
The Greater Chennai Corporation Chennai
District Singaravelan Maligai Rajaji Salai
Chennai 600 001.

2. The Assistant Health Officer
Zonal-VII Chennai Corporation Chennai
Tiruttani Highways Kamarajapuram
Ambattur Chennai 600 053.

3. The Inspector of Police



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