



W.P. No.36152 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P. No.36152 of 2025

and

W.M.P. Nos.40402 and 44335 of 2025

R.Varshini
D/o.Ravisankar,
No.3c/15, Theradi Street,
Near Siva Kanchi Police Station,
Big Kancheepuram-631 502.

Petitioner(s)

Vs

1.The District Collector,
District Collector Office,
Kancheepuram District-631 501.

2.The Regional Joint Director,
Animal Husbandry Department,
Kancheepuram-631 502.

3.The Member Secretary,
Tamil Nadu Animal Welfare Board,
Directorate of Animal Husbandary
and Veterinary Services,
Chennai-600 035.

4.The Secretary
Animal Welfare Board of India,
National Institute of Animal Welfare
Campus, Faridabad,
Haryana -121 004.

5.The Municipal Commissioner,



Kancheepuram Corporation, Kancheepuram
Corporation Hospital Road,
Kancheepuram-631 501.

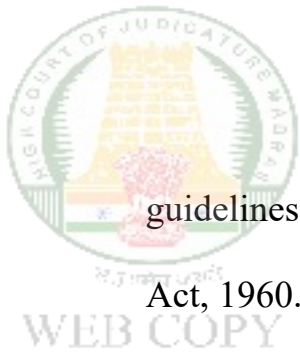
Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 5th Respondent to consider the petitioner's representation dated 10.06.2025 and to relocate the existing Animal Birth Control Centre functioning at Thirukalimedu, Dump Yard, Kancheepuram of a safe unpolluted environment within appropriate location which is accessible for the veterinarians, Animal Birth Control Monitoring Committee Members and volunteers. So that a proper post operative care and medical support will be ensured to the animals undergoing birth control.

For Petitioner(s)	: Mr.M.Gnanasekar
For Respondent(s)	: Mr.M.Shahjahan
1	Special Government Pleader
For R2	: Mr.L.S.M.Hasan Fizal
	Additional Government Pleader
For R3 & 4	: Mr.V.Chandrasekaran
	Standing Counsel
For R5	: Mr.M.Suresh Kumar
	Additional Advocate General
	assisted by Mr.R.A.Gopinath
	Standing Counsel

ORDER

The grievance of the petitioner was that the Animal Birth Control (ABC) Centre functioning at Thirukalimedu, Kancheepuram Town is entirely unsafe and unfit for the said purpose. Mr.Gnanasekar, learned counsel for the petitioner pointed out that the Animal Birth Control Centre at Kancheepuram is situated within a dump yard and it is in total violation of Animal Welfare Board



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guidelines and directions issued in terms of the Prevention of Cruelty to Animals

Act, 1960.



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2. Taking into consideration the plea of Mr.Gnanasekar and the statement of Mr.M.Suresh Kumar, learned Additional Government Pleader appearing for Mr.R.A.Gopinath, learned Standing Counsel, I directed the Animal Welfare



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Board of India (AWBI) to conduct an inspection of the ABC Centre and submit a report. AWBI deputed one Senior Veterinary Consultant, one Veterinary Surgeon and one Senior Veterinary Officer of the Tamil Nadu Animal Welfare Board to



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inspect the area and submitted a report. The three doctors who have inspected the area have stated that the ABC Centre is not situated within the prescribed distance. It states that the ABC Centre is approximately 1 km away from the



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nearest garbage dumping yard. They also pointed out that the ABC Centre is not functioning as on the date of inspection. The report further makes the following recommendations, the same is scanned and extracted hereunder:

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- ii. Poor infrastructure including inadequate ventilation, drainage, and lack of an air-conditioned surgical room.
- iii. Absence of individual kennels for animals.
- iv. Lack of ABC monitoring committees.
- v. General non-compliance with AWBI Animal Birth Control standards.

3. Inspection Findings

3.1 Location and Buffer Zone

The ABC Centre is approximately 1.1km away from the nearest garbage dumping yard, thus maintaining compliance with the 500-meter buffer zone mandated by AWBI guidelines. The ABC centre was not functional at the time of inspection and so the team inspected the infrastructure facilities and equipment available in the centre only.

3.2 Infrastructure and Facilities

- i. The shelter contains 50 individual kennels (size 3ft x 3ft), each designed to house a single dog.
- ii. Kennel areas have adequate natural lighting and ventilation, supplemented by roof exhaust fan in one of the shelter rooms.
- iii. The shelter does not contain dedicated kennels for housing the sick animals and observation kennels for rabies suspected dogs
- iv. Stainless steel pre-operative table, autoclave, IV stand, stretcher and refrigerator are available
- v. Operation Theatre is fully air-conditioned with hydraulic operation table, shadowless light, & cautery machine.
- vi. A cupboard for medicine storage is available
- vii. A kitchen area is available with provisions for cooking food for animals.
- viii. Water (overhead tank) and electricity facility available, but power back up not available.
- ix. A washroom facility available for the staff.
- x. Incinerator facility not available.

4 Recommendations

1. CCTV cameras must be installed for continuous monitoring.



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2. A roof exhaust fan is available only in one of the shelter rooms. It is recommended that exhaust fans needs to be installed in the other shelter room also.
3. Compound wall / proper fencing around the premises needs to be constructed.
4. The shelter does not contain dedicated kennels for housing the sick animals. Therefore, some kennels needs to be allocated for sick animals and should be segregated from the other kennels through full partition. In future construction, sick animal kennels and observation kennels for rabies suspected dogs should also be included.
5. Some garbage was found near the Centre, which needs to be removed as early as possible and to be ensured that no further dumping occurs from the residential areas nearby.
6. An organ counting and disposal team of four members as per Rule 17 of ABC Rules, 2023 needs to be constituted.
7. UV lamp and surgical instruments were not available at the time of inspection. It is recommended to procure them.
8. Power back up arrangement for the operation theatre and the refrigerator (vaccine storage) must be ensured before the commencement of the ABC program.
9. Kennel size is suitable for housing only one dog and therefore housing of only one dog per kennel must be ensured.
10. A waste water stabilization pond exists opposite to the ABC Centre — it is recommended to ensure that approved sewage/effluent management norms are followed until STP relocation is completed (timeline 6 months as informed by Corporation officers)
11. ABC Centre shall be made functional only:
 - by engaging an AWBI-recognized NGO, or
 - by the Corporation itself adhering strictly to ABC Rules
12. In both cases, AWBI Project Recognition is mandatory prior to operationalization.

5. Conclusion

The ABC Centre is approximately 1.1km away from the nearest garbage dumping yard, thus maintaining compliance with the 500-meter buffer zone mandated by AWBI guidelines and possesses essential infrastructure to carry out the ABC program. However, several infrastructural and administrative enhancements, as mentioned in the recommendations, remain necessary to achieve full compliance with AWBI standards and to uphold optimal animal welfare and public health safety. Strict emphasis is placed on the implementation of recommendations to ensure rigorous adherence to the regulatory framework.



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3. A copy of the recommendations was served by Mr.Chandrasekar on the learned counsel for the petitioner as well as Mr.Gopinath, learned Standing Counsel for Kancheepuram City Municipal Corporation. Taking note of the recommendations made by AWBI, I called upon the Kancheepuram City Municipal Corporation to file an undertaking affidavit assuring this Court that the recommendations of AWBI would be implemented before making ABC Centre functional. Mr.M.Suresh Kumar, learned Additional Advocate General sought time.

4. I took up the matter today. Mr.M.Suresh Kumar, learned Additional Advocate General filed an affidavit of the Commissioner, Kancheepuram City Municipal Corporation. The affidavit states that they will strictly implement all the guidelines and instructions issued by the AWBI. The said affidavit is scanned and extracted hereunder:



COUNTER AFFIDAVIT FILED BY THE 5TH RESPONDENT

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I, K. Balasubramanian, son of Kuttiyappa Gounder, Hindu, aged 54 years having office at Kanchipuram City Municipal Corporation, Kanchipuram-631 501 now temporarily come down to Chennai do hereby solemnly affirm and sincerely state as follows:

1. I submit that, I am the Commissioner, Kanchipuram City Municipal Corporation, representing the 5th respondent herein, I am well aware of the facts of the case from the records. I read the affidavit filed in this writ petition, I deny the averments mentioned therein except those that are expressly admitted herein.
2. We submit that, pursuant to the directions of this Hon'ble Court, the 4th Respondent, along with three Veterinary Doctors, inspected the Animal Birth Control Centre, including the existing operations and the new construction, situated in Survey No.503 at Nathapettai Village, Kancheepuram District, on 20.11.2025. We further submit that a copy of the inspection report of the 4th Respondent has been filed by the petitioner before this Hon'ble Court. We undertake to strictly follow and implement all the guidelines and instructions issued by the 4th Respondent without any deviation.
3. I further submit that the following recommendations contained in the inspection report issued by the 4th Respondent shall be implemented in a phased manner, strictly in accordance with the provisions of the Animal Birth Control Rules, 2023:-
 1. CCTV cameras shall be installed for continuous monitoring of the premises.
 2. At present, a roof exhaust fan is available only in one of the shelter rooms. Exhaust fans shall also be installed in the other shelter room.
 3. A compound wall and/or proper fencing around the premises shall be constructed.
 4. As the shelter does not presently contain dedicated kennels for sick animals, separate kennels shall be earmarked for sick animals and segregated from other kennels by way of full partition. In future constructions, separate kennels for

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COMMISSIONER
KANCHEEPURAM CITY MUNICIPAL CORPORATION



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sick animals as well as observation kennels for rabies-suspected dogs shall also be provided.

5. The garbage found near the Centre shall be removed at the earliest, and necessary steps shall be taken to ensure that no further dumping occurs from nearby residential areas.
6. An organ counting and disposal team consisting of four members, as mandated under Rule 17 of the Animal Birth Control Rules, 2023, shall be constituted.
7. UV lamps and required surgical instruments, which were not available at the time of inspection, shall be procured.
8. Power backup arrangements for the operation theatre and the refrigerator meant for vaccine storage shall be ensured prior to the commencement of the Animal Birth Control programme.
9. As the kennel size is suitable for housing only one dog, it shall be ensured that only one dog is housed per kennel.
10. In view of the existence of a wastewater stabilization pond opposite the ABC Centre, approved sewage and effluent management norms shall be strictly followed until relocation of the STP is completed, for which a timeline of six months has been informed by the Corporation officials.
11. The ABC Centre shall be made functional only by engaging an NGO recognized by the Animal Welfare Board of India (AWBI) or by the Corporation itself, strictly in compliance with the Animal Birth Control Rules, 2023.
12. In either event, AWBI Project Recognition shall be obtained mandatorily prior to operationalization of the ABC Centre.

I respectfully submit that all the above recommendations shall be complied with within a period of ...12.... weeks from the date of this affidavit.

Page: 3.

Corr.: Nil


COMMISSIONER
SANDEEPURAM CITY MUNICIPAL CORPORATION

5. The undertaking given in paragraph nos.2 and 3 are recorded. Since, some of the recommendations involve financial implications, Mr.M.Suresh Kumar, learned Additional Advocate General, requests twelve weeks time.

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6. It is made clear that only after compliance of requirements as stated in paragraph 4, will ABC Centre be made functional. Once the twelve (12) recommendations have been implemented, the 5th respondent will intimate the 4th respondent. The 4th respondent shall re-inspect the premises and confirm that its recommendations have been implemented and shall inform the 5th respondent in case there are any deficiencies and if the requirement are complied, thereafter the ABC Centre may be made functional.

7. The affidavit of undertaking is recorded. The writ petition is disposed of recording the same. Twelve weeks time from today is granted to the 5th respondent to comply with the recommendations of AWBI as well as the instructions and guidelines which may come from the 4th respondent from time to time. No costs. Consequently, the connected miscellaneous petitions are closed.

17.12.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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- 2.The Regional Joint Director,
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502.
- 3.The Member Secretary,
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Animal Husbandary and Veterinary Services,
Chennai-600 035.
- 4.The Secretary
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- 5.The Municipal Commissioner,
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Corporation Hospital Road, Kancheepuram-631 501.



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V. LAKSHMINARAYANAN, J.

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