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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.04.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, Chief Justice
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11519 of 2015

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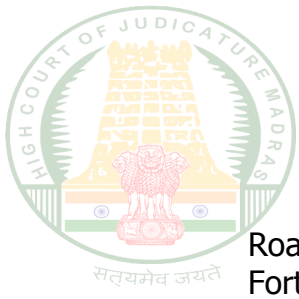
People for Cattle in India,
Rep. by its Secretary,
Mr.G.Arun Prasanna,
having office at
8/22, Ragavaiah Road,
T.Nagar, Chennai-17,
PAN No.AACTP4703F

.. Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by its Chief Secretary,
Secretariat,
St.Fort St.George,
Chennai-600 009.
2. Government of Tamilnadu,
Rep. by its Secretary,
Animal Husbandry, Dairying and Fisheries Department,
Fort St.George,
Chennai-9.
3. Government of Tamil Nadu,
Rep. by its Secretary,

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Road Transport,
Fort St.George, Chennai-9.

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4. The Commissioner,
Chennai Corporation,
EVR Periyar Road,
Chennai-3.
5. Tamil Nadu Pollution Control Board,
Rep. by its Chairman,
No.76, Mount Road,
Gundy, Chennai-600 032.
6. The Director General of Police,
Radhakrishnan Road,
Mylapore, Chennai-600 004.
7. The Commissioner of Police,
Vepery, Chennai-600 007.
8. Deputy Commissioner of Police,
Washermanpet District,
Chennai-600 081.
9. Animal Welfare Board of India,
Rep. by its Secretary,
13/1, 3rd Seaward Road,
Valmiki Nagar,
Thiruvanmiyur, Chennai-600 041.
10. Food Safety and Standards Authority of India,
Rep. by its Chairperson,
C-1-D, Rajaji Bhavan,
Besant Nagar, Chennai-600 090.
11. Government of Rajasthan,
Rep. by its Chief Secretary,
Main Building, Secretariat,
Jaipur (Rajasthan), India.
(Respondent No.11 deleted from
the array of parties, as per



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order dated 21.04.2015 passed in W.P.No.11519 of 2015)

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12. Radha Rajan
(Twelfth respondent impleaded
as per order dated 11.01.2016
in W.M.P.No.787 of 2016
in W.P.No.11519 of 2015)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to take effective steps to prohibit the illegal transportation and slaughtering of Camels in the State of Tamil Nadu.

For petitioner : Mr.S.Rajendra Kumar for M/s.Norton & Grant

For respondents: Mr.P.Muthukumar, State Govt. Pleader for RR-1 to 3 & 6 to 8

Mrs.Karthika Ashok for R-4

Mrs.Shanmugavalli Sekar for R-5

No appearance for RR-9, 10 and 12

ORDER

(The Order of the Court was made by The Honourable Chief Justice)

The Writ Petition has been filed to seek a direction to the respondents to take effective steps to prohibit illegal transportation and slaughtering of the Camel in the State of Tamil Nadu.

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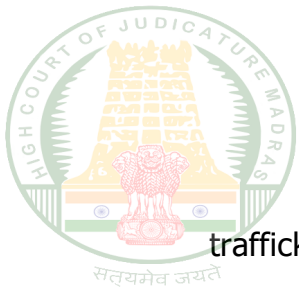
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2. Learned counsel for the petitioner submitted that the Camels were brought for the purpose of slaughtering in the city of Chennai and it was reported in newspapers as well. The slaughtering of Camels took place after illegal trafficking, as otherwise, the State of Tamil Nadu is not natural habitat of the Camel. They were brought from the State of Rajasthan or the other States for the purpose of slaughtering on certain days and the slaughtering has taken place in such a brutal manner that no human being would accept the same and otherwise, it is not so permissible to torture the animal.

3. The petitioner has taken steps to find out and get information regarding existence of separate slaughter house for Camel and from where they were brought for the purpose of slaughtering.

4. A reply to the application was given indicating that no separate slaughter house exists for Camel in the City of Chennai and no permission of transport of Camel been given to anyone, yet the news clippings and photographs enclosed along with the Writ Petition, show the slaughtering of Camel in the State of Tamil Nadu in a cruel manner.

5. Learned Government Pleader appearing for the State has submitted that slaughtering of Camel is not permitted and otherwise, no event of illegal



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trafficking or slaughtering of Camel has taken place for the last five years. The Corporation of Chennai will take care to see that the Camels are not brought for slaughtering in the city of Chennai and efforts have already been taken to show that no illegal trafficking or slaughtering of Camel has taken place for the last nine years.

6. Learned counsel for the petitioner submitted that though care may have been taken during the pendency of the Writ Petition, but till the Writ Petition was filed, the respondents had not taken care to stop illegal trafficking of the Camel for slaughtering in the City of Chennai, his prayer is either to keep the matter pending or to decide it with appropriate directions, so that in future, illegal trafficking/slaughtering of Camel may not take place.

7. We have considered the rival submissions made by the learned counsel appearing for the parties and perused the records.

8. The facts on record along with the materials, show an alarming situation that, at the relevant point of time, not only illegal trafficking of Camel, but also slaughtering has taken place in a brutal manner. It is the petitioner who has brought the facts aforesaid to the notice of the Court and accordingly, notice was issued to the respondents.

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WEB COPY 9. The efforts of the petitioner need to be appreciated for the reason that illegal trafficking of Camel is not permissible,, so also the slaughtering. The photographs enclosed show the manner of slaughtering, which is inhumane. The respondents have now taken care to stop illegal trafficking of Camel and slaughtering. Thus, the prayer made by the petitioner gets satisfied, however, instead of dismissing the Writ Petition rendering it to be infructuous, we dispose of it with a direction to the respondents to take all the measures to stop illegal trafficking of Camel or slaughtering. If any one indulges in such activities, the respondents shall take every step against the person, and it may include even lodging of FIR for commission of the offence(s) under the provisions of the Prevention of Cruelty to Animals Act, 1960, especially in reference to Sections 3 and 5 therein.

10. Further direction is also given to the respondents that if the Corporation of Chennai can find out the person involved in the conduct of illegal trafficking and slaughtering of Camel, they should take steps which may include lodging of FIR, so that the person who indulges in such illegal act, may also be booked.

11. No costs.



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(M.N.B., C J) (D.B.C.,J)
06.04.2022

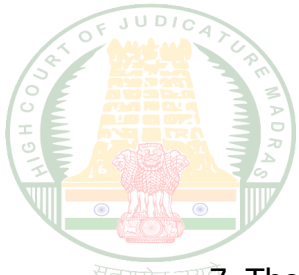
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Index: Yes/no
Speaking Order: Yes/no
cs/grs

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THE HONOURABLE CHIEF JUSTICE

and

D.BHARATHA CHAKRAVARTHY, J

CS

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