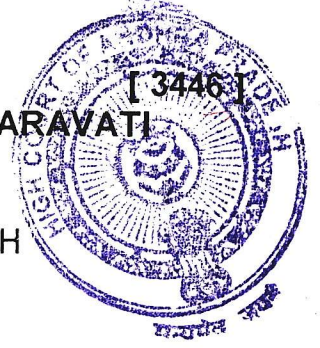


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI



WEDNESDAY, THE TWELFTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

**THE HONOURABLE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR
AND
HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

WP(PIL) NO: 93 OF 2024

Between:

1. Animal Rescue Organization, (Regd. No 485 of 2009), Rep. by its Secretary, Gopal Rao Surabathula, S/o Late S.S.R.K. Guruprasad, Aged about 44 years, R/o 8-19-1-C Gandhinagar, Kakinada, East Godavari District - 533 004.
2. Gopal Rao Surabathula, S/o Late S.S.R.K. Guruprasad Aged 44 years, R/o 8-19-1-C, Gandhinagar, Kakinada, East Godavari District - 533 004.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Chief Secretary, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principle Secretary, Municipal Administration Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The State of Andhra Pradesh, Rep by its., Principle Secretart, Panchayat Raj & Rural Development Department, Secretraiat Building, Velugapudi, Amaravathi, Guntur District.
4. The State of Andhra Pradesh, Rep. by its Prinicple Secretary, Animal Husbandry Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

5. The Union of India, Rep. by its Deputy Secretary (Animal Welfare), Ministry of Environment Forest and Climate Change, 5th Floor, Vayu Wing, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
6. The Animal Welfare Board of India, Rep. by its Secretary, National Institute of Animal Welfare Campus, PO 42, KM Stone, Delhi-Agra Highway (NH-2), Seekri Village, Ballabgarh, Faridabad - 121 004.
7. The State Animal Welfare Board-Andhra Pradesh, Rep by its..The Director and Member Convener, Animal Husbandry Department, Govt, of A.P., Labbipet, Vijayawada.
8. The Joint Director, Animal Husbandry Department Kakinada District, Kakinada.
9. Gokavaram Gram Panchayat, Rep. by it., Panchayat Secretary, East Godavari District.
10. Pithapuram Municipality, Rep by its..Commissioner, Pithapuram, Kakinada District.
11. The Gram Panchayat Jagampeta, Rep by its Secretary, Jagampeta Mandal, Kakinada District.
12. The Asst. Executive Engineer, Irrigation Department, P.I.P.L.M.C Sub-Division-4, Jagampeta Mandal, Jagampeta, Kakinada District.
13. The Director General of Police, AP DGP Head Quarters, 1st Floor, Mangalagiri, Guntur District, Andhra Pradesh
14. The Superintendent of Police, Kakinada, Kakinada District.
15. The Superintendent of Police, Rajahmundry, East Godavari District.
16. The Commissioner and Director of Agricultural, Marketing, Chuttugunta Circle, Murikipeta, Maharshi Dayanand Nagar, Guntur, Andhra Pradesh
17. The Collector, Collectorate Compound, Kakinada, Kakinada District.
18. The Collector, Rajahmundry, East Godavari District.

19. The Transport Department, Government of AP, Rep by its.
Commissioner, O/o. RTC House 3rd Floor, NTR Administrative Block,
Vijayawada.
20. The Joint Director, Animal Husbandry Department, East Godavari
District, Rajahmundry.
21. Ministry of Animal Husbandry, Diary development and fisheries,
represented by its Secretary.

Respondent No.21 was impleaded as per c.o.dt.31/07/2024 in
WP(PIL).No.93 of 2024.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ or order or direction with more particularly in the nature of WRIT OF MANDAMUS declaring the inaction of the Respondents authorities in implementing the Transportation of Animal Rules, 1978 (Amendment) 2001 and 2009, Prevention of Cruelty of Animal Rules 1978, Andhra Pradesh Prohibition of Cow slaughter and Prevention of Animals Act 1977 and GOMs No. 23 dated 01/10/2015 regarding livestock cattle markets as illegal, unconstitutional and violation of Article 14 and 48 & 51A (g) of the Constitution of India and Consequently direct the respondent authorities to initiate stringent action against the people who are indulging in the unauthorized transport of animals and direct all Respondent to take effective steps for ensuring implementation of GOM s 23 dated 01/10/2015.

IA NO: 2 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct Respondent district collectors R17 and R18 to submit reports to this Hon'ble court on the functioning of the livestock cattle markets at Pitapuram, Jagampeta Kakinada district and Gokavaram, East Godavari district vis-a-vis G.O.Ms.No.23 dated 01/10/2015 of Animal

Husbandry Dairy Development and Fisheries (AH.I), Pending disposal of WP(PIL) 93 of 2024, on the file of the High Court.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct the Respondent Authorities to forthwith close/seal Shandy livestock cattle market functioning in Pitapuram, Jagampeta Kakinada district and Gokavaram, East Godavari district till G.O.Ms. No. 23 dated 01/10/2015 is effectively implemented as certified by R5, R6, and R7 to be placed before this Hon'ble court, Pending disposal of WP(PIL) 93 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dated 24.04.2024 made herein and upon hearing the arguments of SRI PONNADA SREE VYAS, Advocate for the Petitioners, GP FOR GAD for the Respondent No.1, learned GP FOR Municipal Administration And Urban Development for respondent No.2, learned GP FOR PANCHAYAT RAJ for respondent No.3, learned GP FOR ANIMAL HUSBANDRY for respondent Nos. 4,7,8, 20 & 21 Deputy Solicitor General for respondent Nos.5&6, Sri N. Srihari, Standing Counsel for respondent Nos.9&11, Sri M. Manohar Reddy, Standing Counsel for respondent No.10, learned GP FOR IRRIGATION for respondent No.12, learned GP FOR HOME for respondent Nos.13,14&15, learned GP FOR AGRICULTURE for respondent No.16, learned GP FOR REVENUE for respondent Nos.17&18, learned GP FOR TRANSPORT for respondent No.19, the Court made the following

ORDER:

"By virtue of our order dated 24.04.2024, we had directed the Collector of Kakinada District – respondent No.17 as also the Collector of East Godavari District – respondent No.18 herein to file reports as to the manner in which G.O.Ms.No.23, Animal Husbandry, Dairy Development and Fisheries (AH.I) Department, dated 01.10.2015, has been implemented and to reflect the steps which would be taken by the concerned Shandy Level Monitoring Committee (S.L.M.C.) to give effect to the spirit of G.O.Ms.No.23.

The aforementioned direction was issued in the light of the allegations made by the petitioners in the present P.I.L. highlighting the gross violation of the aforementioned G.O.Ms.No.23, which was issued pursuant to the directions of the combined High Court of Andhra Pradesh in W.P(PIL).No.206 of 2015 dated 31.08.2015.

An affidavit has been filed by respondent No.17 i.e., Collector, Kakinada wherein it is stated that in the shandies in Phitapuram and Jaggampeta, directions have been issued to the S.L.M.Cs to implement in letter and spirit G.O.Ms.No.23.

It also appears that the Collector had directed the Joint Director, Animal Husbandry to submit a report with regard to the shortcomings in the implementation of G.O.Ms.No.23, who submitted a report dated 27.05.2024, highlighting number of deficiencies in regard to the availability of water troughs, C.C. T.V. Cameras, ramps and animal sheds. It appears that the Joint Director, Animal Husbandry, on his visit to the said shundies, had given appropriate instructions to make up the deficiencies.

Whether or not the deficiencies have been since removed and the instructions issued by the Joint Director complied with is not reflected from the affidavit filed by the Collector – respondent No.17. The affidavit filed by the Collector, Kakinada simply appears to have washed his hands off the obligation which is cast upon the authorities in ensuring

that all facilities which are otherwise required to be provided to the animals with a view to prevent cruelty to them are put in place.

We, therefore, direct respondent No.17 to file a detailed affidavit with regard to the implementation of G.O.Ms.No.23 in its fullest extent.

Similarly, a report appears to have been filed by the Deputy Director, Animal Husbandry to the Collector, East Godavari District wherein certain deficiencies were reported. It is not known as to whether the deficiencies finally were removed and whether the S.L.M.C was constituted pursuant to the instructions issued by the Deputy Director, Animal Husbandry.

Let an affidavit be filed also by the Collector, East Godavari District reflecting the exact status as on date with regard to the implementation of G.O.Ms.No.23 and the removal of deficiencies.

List on 07.05.2025."

Sd/- B CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Chief Secretary, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The Principle Secretary, Municipal Administration Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
3. The Principle Secretart, Panchayat Raj & Rural Development Department, Secretraiat Building, Velugapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
4. The Prinicple Secretary, Animal Husbandry Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
5. The Deputy Secretary (Animal Welfare), Union of India, Ministry of Environment Forest and Climate Change, 5th Floor, Vayu Wing, Indira ParyavaranBhawan, JorBagh Road, New Delhi - 110 003.
6. The Secretary, Animal Welfare Board of India, National Institute of Animal Welfare Campus, PO 42, KM Stone, Delhi-Agra Highway (NH-2), Seekri Village, Ballabgarh, Faridabad - 121 004.

7. The Director and Member Convener, State Animal Welfare Board- Andhra Pradesh, Animal Husbandry Department, Govt, of A.P., Labbipet, Vijayawada.
8. The Joint Director, Animal Husbandry Department Kakinadda District, Kakinada.
9. The Panchayat Secretary, Gokavaram Gram Panchayat, East Godavari District.
10. The Commissioner, Pithapuram Municipality, Pithapuram, Kakinada District.
11. The Secretary, Gram Panchayat Jagampeta, Jagampeta Mandal, Kakinada District.
12. The Asst. Executive Engineer, Irrigation Department, P.I.P.L.M.C Sub-Division-4, Jagampeta Mandal, Jagampeta, Kakinada District.
13. The Director General of Police, AP DGP Head Quarters, 1st Floor, Mangalagiri, Guntur District, Andhra Pradesh
14. The Superintendent of Police, Kakinada, Kakinada District.
15. The Superintendent of Police, Rajahmundry, East Godavari District.
16. The Commissioner and Director of Agricultural, Marketing, Chuttugunta Circle, Murikipeta, Maharshi Dayanand Nagar, Guntur, Andhra Pradesh
17. The Collector, Collectorate Compound, Kakinada, Kakinada District.
18. The Collector, Rajahmundry, East Godavari District.
19. The Transport Department, Government of AP, Rep by its. Commissioner, O/o. RTC House 3rd Floor, NTR Administrative Block, Vijayawada.
20. The Joint Director, Animal Husbandry Department, East Godavari District, Rajahmundry.
21. The Secretary , Ministry of Animal Husbandry, Diary development and fisheries, (Addressee Nos. 1 to 21 by RPAD)
22. One CC to SRI. PONNADA SREE VYAS Advocate [OPUC]
23. Two CCs to GP FOR GENERAL ADMINISTRATION ,High Court of Andhra Pradesh. [OUT]
24. Two CCs to GP FOR MA&UD, High Court of Andhra Pradesh. [OUT]
25. Two CCs to GP FOR PANCHAYAT RAJ, High Court of Andhra Pradesh.
26. Two CCs to GP FOR ANIMAL HUSBANDRY, High Court of Andhra Pradesh.
27. One CC to DEPUTY SOLICITOR GENERAL [OPUC]
28. One CC to Sri N. SRIHARI, STANDING COUNSEL [OPUC]
29. One CC to Sri M. Manohar Reddy, STANDING COUNSEL [OPUC]
30. Two CCs to GP FOR IRRIGATION COMM AREA DEV, High Court of Andhra Pradesh. [OUT]

31. Two CCs to GP FOR HOME, High Court of Andhra Pradesh.
[OUT]
32. Two CCs to GP FOR AGRICULTURE, High Court of Andhra Pradesh. [OUT]
33. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh.
[OUT]
34. Two CCs to GP FOR TRANSPORT, High Court of Andhra Pradesh. [OUT]
35. One CC to AG OFFICE [OPUC]
36. Two spare copies

KJ

HIGH COURT

HC,J &
RC,J

DATED:12.03.2025

LIST ON 07.05.2025

ORDER

WP(PIL).No.93 of 2024

DIRECTION

