

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 808 OF 2015

(Under Article 32 of the Constitution of India)

WITH

INTERLCOUTORY APPLICATION NO. 1 OF 2015

(Application for Exemption from filing Official Translation)

AND

INTERLCOUTORY APPLICATION NO. 2 OF 2015

(Application for Interim direction)

AND

INTERLCOUTORY APPLICATION NO. 2 OF 2015

(Application for impleadment as party respondent)

IN

WRIT PETITION (C) NO. 599 OF 2015

(Under Article 32 of the Constitution of India)

Aluva Janaseva @Janaseva Sisubhavan

Through its Secretary

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

OFFICE REPORT

The Writ Petition alongwith applications above mentioned was listed before Hon'ble Court on 30.11.2015 with office report dated 27.11.2015, when the Court was pleased to pass the following order:-

“Heard Mr.V.K. Biju, learned counsel for the petitioner.

It is submitted by him that though he has filed I.A. No.2 of 2015 in Writ Petition (Civil) No.599 of 2015, which relates to protection from stray dogs on the foundation that the lives of human beings are to be saved, for they cannot be allowed to become prey to the stray dogs, yet he has been compelled to prefer an independent writ petition at the instance of the petitioner-Association as it has been found that in the meantime many children have been affected by bite of stray dogs. He has brought on record certain newspaper clippings which show that the children have been bitten by the stray dogs and have suffered serious injuries. Learned counsel would submit that there has to be protection for the children from the stray dogs because children become easy and innocent targets for these kind of dogs. In essence, the submission Mr. V.K. Biju is that there has to be implementation of Sections 9(f)

and 11(3)(b)(c) of the Prevention of Cruelty to Animals Act, 1960 and Section 438 of Kerala Municipality Act, 1994. Appreciating the submission that the children are fundamental embodiment of human race and they deserve protection from any kind of attack by the stray dogs, we are inclined to issue notice.

Issue notice on the writ petition, as also on the prayer for interim relief. The Registry is directed to fix a returnable date within four weeks.”

It is submitted that Certified Copy of above order has been issued to concerned parties through Registered A.D. on 01.12.2015.

It is next submitted that Show Cause Notice returnable for 04.01.2016 was issued to all the 3 respondents through Registered A.D. on 04.12.2015. Neither A.D. cards nor unserved cover containing of show cause notice has been received back, so far.

The Writ Petition above-mentioned was mentioned before the Hon'ble Court on 14.12.2015, when the Court was pleased to pass the following order:-

“On mentioning, the matter is taken on Board.

Let I.A. No. 2 of 2015 in W.P. (C) No. 599 of 2015, be listed with the present writ petition on 4th January, 2016.”

I.A. No. 2 in W.P. (C) No. 599 of 2015

It is submitted that Mr. V.K. Biju, Advocate has on 15.10.2015 filed application for impleadment as party respondent on behalf of Mr. Jose Sabastin & Fr. Greevarghese Thomas and the same is registered as Interlocutory Application No 2. The said application was listed before the Hon'ble Court on 26.10.2015, when the Court was pleased to inter-alia pass the following Order:-

“xxxx xxxx xxxx xxxx

Application for impleadment, filed by Mr. V.K. Biju, learned counsel, is allowed. He has drawn our attention to Section 438 of the Kerala Municipality Act, 1994.

xxxx xxxx xxxx xxxx”

The Writ Petition along with applications above-mentioned are listed before the Hon'ble Court with this Office Report for orders.

Dated this the 23rd day of December, 2015.

Sd/-
Assistant Registrar