

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

(Special Original Jurisdiction)

TUESDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI PRASHANT KUMAR MISHRA
AND
THE HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU

W.P.(PUBLIC INTEREST LITIGATION) NO: 112 OF 2022

Between:

1. Animal Rescue Organization, (Reg. No 485 of 2009), Rep. by its Secretary Gopal Rao Surabathula, S/o S.S.R.K.Guruprasad, Aged 45 years, R/o 8-19-1-C, Gandhinagar, Kakinada, East Godavari District - 533 004. aro4animal@gmail.com
2. Gopal Rao Surabathula, S/o S.S.R.K. Guruprasad, Aged 45 years, R/o 8-19-1-C, Gandhinagar, Kakinada, East Godavari District - 533 004. gopalmurali9@gmail.com
3. Tejovanth Anupoju, S/o Venkata Satya Mallikarjuna Rao, Aged 23 years R/o 15-19-534, 1st line Brin.davan Gardens, Guntur.
4. P. Vijaya Kishore, S/o Late PVV Satyanrayana, Aged 33 years, 78-2-6/2, Old Syamamma Temple Street, Rajamahendravaram, East Godavari dist.

.....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 Principal Secretary, Municipal Administration Department, Secretariat buildings, Velagapudi, Amaravathi, Guntur District.
3. The State of Andhra Pradesh, Rep. by its Principal Secretary, Animal Husbandry Department, Secretariat buildings, Velagapudi, Amaravathi, Guntur District.
4. 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
5. 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.
6. Andhra Pradesh Pollution Control Board, Rep. by its Member Secretary, Lenin Centre, Governorpet, Vijayawada.
7. The District Collector, Kurnool District, Kurnool.
8. The Joint Director, Animal Husbandry Department, Kurnool.
9. The District Medical Health Officer, Kurnool District, Kurnool.
10. The Superintendent of Police, Kurnool District, Kurnool.

11. The Municipal Corporation, Kurnool, Rep. by its Commissioner.
12. Food Safety and Standards Authority of India (FSSAI), Rep. by Chief Executive Officer, FDA Bhavan, Near Bala Bhavan, Kolkatta Road, New Delhi.

.....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 action of the Respondents in permitting the setting up and functioning of the Slaughter house in Ward No.7 of Kurnool Municipal Corporation as illegal, unconstitutional and consequently direct the Respondent Authorities to forthwith close down the slaughtering house and all other allied activities in Ward No.7 of Municipal Corporation, Kurnool while making it clear that Municipal Corporation cannot permit either directly or implicitly slaughtering of the animals in violation of the Prevention of Animals to Cruelty Act, 1960, Andhra Pradesh Prohibition of Cows and Animals Act, 1977 and rules made therein under and the letter of the spirit of the Judgments of the Hon'ble Courts and direct the Respondent Authorities to prosecute the persons responsible running the slaughter house in Ward No.7 of Municipal Corporation, Kurnool;

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent Authorities to forthwith close/seal this slaughter house Ward No.7 of Municipal Corporation, Kurnool and seize all the material, cattle and seal the premises of the slaughter house, pending disposal of the WP(PIL) No. 112 of 2022, 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 order of the High Court, dated 21.07.2022 Mr.K.S.Murthy, learned counsel, on behalf of Mr.Ponnada Sree Vyas for appellants, learned Government Pleader for General Administration for Respondent No.1, learned GP for Municipal Administration and Urban Development for Respondent No.2, learned Government Pleader for Animal Husbandry for Respondent Nos.3, 7 & 8, Sri.N.Harinath, Deputy Solicitor General, for Respondent Nos.4, 5 & 12, Sri.V.Surendra Reddy, learned Standing Counsel for Respondent No.6, learned Government Pleader for Medical & Health for Respondent No.9, learned Government Pleader for Home for Respondent No.10 and of Sri.Kalava Suresh Kumar Reddy, learned Standing Counsel for Respondent No.11, the Court made the following:

THE COURT MADE THE FOLLOWING ORDER:

(Through Physical Mode)

As prayed by the learned counsel for respondent No.11, four weeks' time is allowed to file counter affidavit.

Post this case after four weeks.

In view of the statement made in paragraph No.3 of the counter affidavit filed by respondent No.6 – Andhra Pradesh Pollution Control Board, that the Zonal Office, Andhra Pradesh Pollution Control Board, Kurnool has issued closure orders to the 12th respondent Industry on 03.12.2014 as per the directions of the Apex Court in W.P. (C) No.309 of 2003 operating slaughterhouse without any valid consents of A.P.Pollution Control Board, without Effluent Treatment Plant (ETP), without proper solid waste disposal facility and discharging the waste water without treatment into Municipal Drains, the operation of the slaughter house shall remain stayed till the next date of hearing.

**Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR**

//TRUE COPY//

For SECTION OFFICER

To,

- 1. The Chief Secretary, State of Andhra Pradesh, Secretariat buildings, Velagapudi, Amaravathi, Guntur District.**
- 2. The Principal Secretary, Municipal Administration Department, State of Andhra Pradesh, Secretariat buildings, Velagapudi, Amaravathi, Guntur District.**
- 3. The Principal Secretary, Animal Husbandry Department, State of Andhra Pradesh, Secretariat buildings, Velagapudi, Amaravathi, Guntur District.**
- 4. The Deputy Secretary (Animal Welfare), Ministry of Environment Forest and Climate Change, Union of India, 5th Floor, Vayu Wing, Indira Paryavaran Bhawan Jor Bagh Road, New Delhi - 110 003**
- 5. The Secretary, National Institute of Animal Welfare Campus, Animal Welfare Board of India, PO 42, KM Stone, Delhi-Agra Highway (NH-2), Seekri Village, Ballabgarh, Faridabad - 121 004.**
- 6. The Member Secretary, Andhra Pradesh Pollution Control Board, Lenin Centre, Governorpet, Vijayawada.**
- 7. The District Collector, Kurnool District, Kurnool.**

8. The Joint Director, Animal Husbandry Department, Kurnool.
9. The District Medical Health Officer, Kurnool District, Kurnool.
10. The Superintendent of Police, Kurnool District, Kurnool.
11. The Commissioner, Municipal Corporation, Kurnool.
12. The Chief Executive Officer, Food Safety and Standards Authority of India (FSSAI), FDA Bhavan, Near Bala Bhavan, Kolkatta Road, New Delhi. (1 to 12 by RPAD)
13. One CC to SRI.PONNADA SREE VYAS, Advocate (OPUC)
14. Two CCs to GP for General Administration, High Court of A.P. (OUT)
15. Two CCs to GP for Animal Husbandry, High Court of A.P. (OUT)
16. Two CCs to GP for Revenue, High Court of A.P. (OUT)
Two CCs to GP for Municipal Administration & Urban Development, High Court of A.P. (OUT)
17. Two CCs to GP for Medical & Health, High Court of A.P. (OUT)
18. Two CCs to GP for Home, High Court of A.P. (OUT)
19. One CC to Sri.Suresh Kumar Reddy Kalava, Standing Counsel (OPUC)
20. Two spare copies.

SRL

HIGH COURT

HCJ & DVSSJ

DATED: 11.10.2022

DATED: POST THIS CASE AFTER FOUR WEEKS

ORDER

WP(PIL).No.112 of 2022

STAY

