



2025:KER:40961

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

THURSDAY, THE 12<sup>TH</sup> DAY OF JUNE 2025 / 22ND JYAISHTA, 1947

WP(C) NO. 17343 OF 2025

PETITIONERS:

VEENA JANARDHANAN,  
AGED 39 YEARS  
D/O JANARDHANAN, CHERIVUMKALAYIL HOUSE,  
KONNI SEETHATHODU, CHITTAR, PATHANAMTHITTA,  
NOW RESIDING AT 10/86, VEMBILLY, KIZHAKKAMBALAM,  
KUNNATHUNADU, ERNAKULAM, PIN - 683565

BY ADVS.  
SRI.C.Y.VINOD KUMAR  
SHRI.C.ANILKUMAR (KALLESSERIL)

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT,  
HOME DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 2 DEPUTY SUPERINTENDENT OF POLICE (ALUVA RURAL) ,  
POWER HOUSE JUNCTION, SUB JAIL ROAD,  
PERIYAR NAGAR, ALUVA, ERNAKULAM, PIN - 683101
- 3 STATION HOUSE OFFICER,  
KUNNATHUNADU POLICE STATION, PATTIMATTOM,  
ERNAKULAM, PIN - 683542
- 4 SIJOY M. PAUL,  
S/O M.K. PAULOSE, MATTATHIL HOUSE,



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VEMBILLY P.O., KUNNATHUNADU,  
ERNAKULAM, PIN - 683565

- 5 PRAVEEN N.P.,  
S/O PARAMESWARAN, NELLIPPILLY HOUSE,  
VEMBILLY P.O., KUNNATHUNADU,  
ERNAKULAM, PIN - 683565
- 6 BASIL GEORGE,  
S/O GEORGE, MELATHU VEEDU, VEMBILLY P.O.,  
KUNNATHUNADU, ERNAKULAM, PIN - 683565
- 7 P.V. SREENIJAN,  
S/O M.A. VASU, NECHUPADAM SPIRE,  
OPP. TO ST. PETERS COLLEGE, KOLENCHERRY,  
ERNAKULAM, PIN - 682311

BY ADVS.  
SRI.ROY THOMAS (MUVATTUPUZHA)  
SRI.AJU MATHEW  
SHRI.K.S.ARUN KUMAR  
SRI.ABU MATHEW  
SMT.AMRUTHA P S  
SMT.AMRUTHA K P  
SMT.AMRUTHA P.S.  
SMT.LAKSHMI T.R.  
SHRI.K.K.SUBEESH  
SRI. RAJEEV JYOTHISH GEORGE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 09.06.2025, THE COURT ON 12.06.2025 DELIVERED THE  
FOLLOWING:



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**N. NAGARESH, J.**

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W.P.(C) No.17343 of 2025  
.....

*Dated this the 12<sup>th</sup> day of June, 2025*

**J U D G M E N T**

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The petitioner states that she is engaged in the welfare and stray and community dogs. The petitioner has set up a community dog shelter to provide care for several stray dogs. The petitioner has ensured vaccination, sterilisation and proper medical treatment to the stray dogs, in compliance with the Prevention of Cruelty to Animals Act, 1960 and the guidelines of the Animal Welfare Board of India.

2. The petitioner states that respondents 4 to 7 are threatening the petitioner since February, 2025, opposing the conducting of community dog shelter. Respondents 4 to 7 and persons claiming under them trespassed into the dog



shelter of the petitioner and threatened the petitioner and her employees and volunteers. The petitioner and others were abused in filthy language. The compound fencing was damaged.

3. Apprehending danger, the petitioner submitted Exts.P1 and P3 petitions before the 2<sup>nd</sup> respondent-Deputy Superintendent of Police and the 3<sup>rd</sup> respondent-Station House Officer requesting to grant adequate and sufficient police protection to the life and property of the petitioner and her employees/volunteers in the community dog shelter. The respondents have not given sufficient protection to the petitioner.

4. During the pendency of the writ petition, the petitioner filed an affidavit dated 06.06.2025 in which it is alleged that on the late hours on 03.06.2025, several persons under the leadership of respondents 4 to 7 trespassed into the house and brutally attacked the petitioner. They demolished compound wall and fencing. Household articles



were also damaged. The petitioner sustained incised wound on head. The police who came to the spot remained as mute spectators.

5. The petitioner stated that Article 51A(g) of the Constitution of India states that it is duty of every citizen to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for all living creatures. The petitioner is a law abiding citizen and is carrying out fundamental duties envisaged by the Constitution of India.

6. The petitioner has ensured vaccination, sterilisation and proper medical treatment to the dogs, in compliance with the Prevention of Cruelty to Animals Act, 1960 and the guidelines framed by the Animal Welfare Board of India. Due to the threats, intimidation and possibility of physical harm, the petitioner is unable to freely carry on the lawful and charitable activity. There is imminent threat to the petitioner, her volunteers and the dogs.



7. Respondents 4 and 5 resisted the writ petition filing counter affidavit. The petitioner took on rent a house from the 6<sup>th</sup> respondent's father. The petitioner represented that she possesses two or three pet dogs which are also to be accommodated in the rented house. To the surprise and predicament of respondents 4 to 6, the petitioner brought as many as 65 stray dogs to the rented residential house.

8. The petitioner is not residing in the said house. Stray dogs are let loose in the residential compound. The stray dogs frequently fight, bark and defecate in the compound, in the verandah and rooms in the house. Food waste collected from somewhere is given as feed to the dogs. The compound is not being cleaned, nor the house. The balance food waste and excreta cause stench around the area. The conditions in the dog shelter and the neighbourhood is extremely unhygienic.



9. The 4<sup>th</sup> respondent is residing less than 25 metres away from the compound. Local citizens preferred complaint before the Grama Panchayat and local police. The complaints were of no avail. The Revenue Divisional Officer conducted an enquiry and found that the grievance of the local people is genuine. The RDO therefore issued Ext.R5(e) order dated 09.04.2025 directing the petitioner to shift the dogs. Ext.R5(h) report submitted by the Health Inspector stated that the petitioner is rearing 42 number of dogs and that the foul smell from its waste and collective barking, make the life of the local people miserable.

10. Respondents 6 and 7 also filed counter affidavit in similar lines. The petitioner is running a dog shelter without necessary approvals or clearances from the Panchayat. The dog shelter is unauthorised. When legitimate concerns are raised by the people of the locality including health and sanitation issues, the authorities are bound to consider them and act accordingly.



11. I have heard the learned counsel for the petitioner, the learned Government Pleader representing respondents 1 to 3 and the respective learned counsel appearing for respondents 4 to 7.

12. The petitioner is admittedly running a community dog shelter in a rented premises. The petitioner would urge that she is discharging her duties in tune with Article 51A(g) of the Constitution of India. The inspections made by statutory authorities would indicate that the petitioner is rearing 48 to 65 stray dogs. There is no scientific arrangement for feeding the dogs. It has come out through pleadings that food waste spread in the compound and the excreta shed by the dogs causes stench in and around the area. The Health Inspector has reported that the collective barking of the dogs creates sound pollution, making life miserable for the local population.

13. The petitioner has not obtained any permission or licence to run the dog shelter. In a similar





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case, in the judgment in ***Irshad T.M. v. State of Kerala*** [2024 (2) KLT 248], this Court held that to run a stray dog shelter, the petitioner should approach the Local Self Government Institution for getting licence for keeping the stray dogs in a premises. It is submitted that all the stray dogs have been temporarily shifted from the premises in question now. That being the position, there is no cause for concern as of now.

The writ petition is therefore disposed of making it clear that if the petitioner wants to continue to run the shelter home for dogs, she shall do so only after obtaining necessary sanction from the statutory authorities. In such an event, if the petitioner still faces any threat, the petitioner will be free to approach respondents 2 and 3 with appropriate complaints.

Sd/-

**N. NAGARESH, JUDGE**

aks/10.06.2025



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APPENDIX OF WP(C) 17343/2025

PETITIONER'S EXHIBITS

Exhibit P1	COPY OF THE COMPLAINT DATED 20/3/25 SUBMITTED BY THE PETITIONER BEFORE DISTRICT POLICE CHIEF, ERNAKULAM RURAL SEEKING POLICE PROTECTION
Exhibit P2	COPY OF THE RECEIPT DATED 20/3/25 ISSUED FROM THE OFFICE OF THE DISTRICT POLICE CHIEF, ERNAKULAM RURAL
Exhibit P3	COPY OF THE COMPLAINT DATED 19/04/25 SUBMITTED BEFORE THE 3RD RESPONDENT

RESPONDENT'S EXHIBITS

Exhibit R6a	True copy of the lease deed dated 20-01-2025 executed by the Petitioner
Exhibit R6b	True copy of the order dated 9-4-2025 passed by Revenue Divisional Officer, Muvattupuzha
EXHIBIT R5(a)	True copy of the Complainant dated 05.02.2025
EXHIBIT R5(b)	True copy of the Notice dated 07-02-2025 issued by the Secretary, Kunnathunadu Grama Panchayath
EXHIBIT R5(c)	True copy of the Complaint and the receipt dated 08-02-2025
EXHIBIT R5(d)	True copy of the Complaint dated nil
EXHIBIT R5(e)	True copy of the order of the R D O dated 09-04-2025
EXHIBIT R5(f)	True copy of the report dated 20-03-2025 submitted by the Secretary Kunnathunadu Grama Panchayath
EXHIBIT R5(g)	True copy of the Report of the Environmental Engineer dated 19-03-2025
EXHIBIT R5(h)	True copy of the Report dated 25-03-2025 together with the covering letter dated 29-03-2025
EXHIBIT R5(i)	True copy of the Photograph of the residential house



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**PETITIONER'S EXHIBITS**

Exhibit P4	COPY OF THE COMPLAINT DATED NIL SUBMITTED BEFORE THE 3RD RESPONDENT
Exhibit P5	COPY OF THE RECEIPT DATED 17/3/25 ISSUED FROM THE OFFICE OF THE 3RD RESPONDENT
Exhibit P6	COPY OF THE COMPLAINT DATED 03/04/25 SUBMITTED BEFORE THE 3RD RESPONDENT
Exhibit P7	COPY OF THE RECEIPT DATED 03/04/25 ISSUED FROM THE OFFICE OF THE 3RD RESPONDENT
Exhibit P8	COPY OF THE COMPLAINT DATED 08/04/25 SUBMITTED BEFORE THE DISTRICT POLICE CHIEF, ERNAKULAM
Exhibit P9	COPY OF THE RECEIPT DATED 10/4/25 ISSUED FROM THE OFFICE OF THE ERNAKULAM RURAL POLICE DISTRICT OFFICE
Exhibit P10	COPY OF THE COMPLAINT DATED 12/04/25 SUBMITTED BEFORE THE 3RD RESPONDENT
Exhibit P11	COPY OF THE COMPLAINT DATED 19/04/25 SUBMITTED BEFORE THE 3RD RESPONDENT
Exhibit P12	COPY OF THE RECEIPT DATED 20/4/25 ISSUED FROM THE OFFICE OF THE 3RD RESPONDENT