

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE N. TUKARAMJI

WRIT PETITION (PIL) No.99 of 2017

ORDER: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present public interest litigation has been filed by the petitioner stating that the State of Telangana and the State of Andhra Pradesh be directed to ensure that the elephants are not subjected to cruelty and the elephants are registered with the District Committee as required under the Captive Elephants (Management and Maintenance) Rules, 2008.

Specific instances have been brought by the petitioner regarding cruelty in respect of Sri Kalahasti Temple and Temple of Lord Venkateswara at Tirumala as well as in respect of some procession at Hyderabad i.e., Bibi-Ka-Alam in the old city of Hyderabad.

So far as the issue regarding Sri Kalahasti Temple and Temple of Lord Venkateswara at Tirumala are concerned, the same fall within the territorial jurisdiction of the Andhra Pradesh High Court and therefore, it is not being looked into. Liberty is granted to the petitioner to take appropriate steps in accordance with law for

ventilating his grievance by approaching the Andhra Pradesh High Court.

So far as the Bibi-Ka-Alam procession is concerned, it takes place in Hyderabad and the Principal Chief Conservator of Forests has filed a counter affidavit and it has been stated that earlier the elephants were owned by the Nizam's Trust. However, the elephants have been handed over by the Nizam's Trust to the Nehru Zoological Park, Hyderabad. The Secretary of the Nizam's Trust in his letter dated 06.03.2010 has requested the State Government to maintain the elephant 'Rajani' belonging to the Nizam's Trust and there are at present five elephants in the Nehru Zoological Park, they are being looked after by the State Government and veterinary doctors are also looking after them. The affidavit further reveals that the services of elephant 'Rajani' are being provided for Bonalu and Moharrum processions on the request of Nizam's Trust.

In the considered opinion of this Court, as the elephants are being looked after properly, they are being given proper diet and medical attention, no further orders are required to be passed in the present public interest litigation.

The present public interest litigation stands disposed of accordingly. The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

SATISH CHANDRA SHARMA, CJ

N. TUKARAMJI, J

30.12.2021
vs