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IN THE HIGH COURT OF KARNATAKA, BANGALORE

S. Vombi -  
Korangan  
Gopie

DATED THIS ON THE 07<sup>TH</sup> DAY OF August, 2002

PRESENT

THE HON'BLE MR. N.K. JAIN, CHIEF JUSTICE

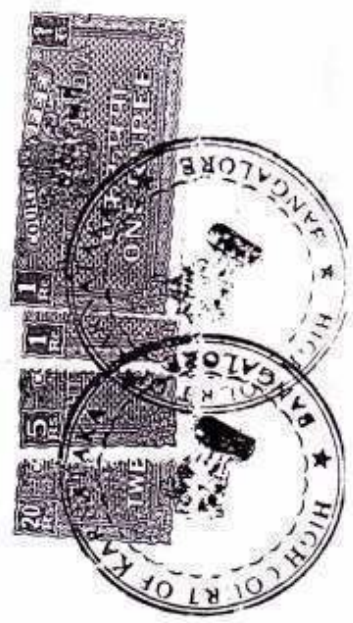
AND

THE HON'BLE MR. JUSTICE V.G.SABHAHIT

Writ Petition No. 37359 OF 2001(GM-RES-PIL)  
C/w WP No. 1970/2001(LB-RES)

BETWEEN: (W.P.No. 37359/2001)

- 1 Stray Dog Free Bangalore  
Office at No 50, 8 B Main,  
IV C Block, Koramangala,  
Bangalore, Rep By Secretary  
C Dhanjay.
- 2 G. Rajappa.  
S/o. Late Gududappa,  
C/o Krishnappa, No 68, Near  
Aladamara, Beml Hospital,  
G M Palya, Bangalore.
- 3 Hedwig Michael Rigo,  
64 Yrs, R/O 21, Race Course,  
Crescent, Bangalore.
- 4 Richards Town Citizens Association  
No 4, Rogers Road, Richards Town  
Bangalore, Rep By Sec  
M. Swarupa Rani.
- 5 The Defence Colony Residents  
Association, No 15, 1 Main Road  
Defence Colony  
Indiranagar, Bangalore  
Rep By Sec  
T. V. Ranganathan



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- 6 Bangalore East Swabhimana Trust  
No Lazar Road, Richards Town,  
Bangalore, Rep By Its Sec  
S. Madhan Gopal.
- 7 Bangalore Environment Trust  
Chartered Cottage, A 1  
166 Landford Road, Bangalore  
Rep By Administrator Goverdhan.
- 8 HAL III Stage First Block  
R/o Welfare Association  
No 838, HAL III Stage  
I Block, Bangalore,  
Rep By Secretary  
D ohri.
- 9 Citizens for Civic Amenities  
Basaveshwaranagar Regd  
No 71, Sharada Colony, Basaveshwaranagar  
Bangalore, Rep By Sec  
M. S. Achar
- 10 R. T. Nagar Civic Forum  
No 101, 9th Cross, I Block  
R T Nagar, Bangalore  
Rep By Its Sec  
Tessy Thomas
- 11 Girinagar Welfare Association  
No 778/681, I C Main  
II Phase, Girinagar  
Bangalore, Rep By President  
Y. Damodara
- 12 BSK I Stage Welfare Association  
No 12, 21 Main Road, Bak I Stage  
II Block, Bangalore, Rep By  
Secretary S. V. Srinivasa Rao



- 13 BSK Second Stage Welfare Association  
No 451, 21 Main Road, 10 Main  
BSK II Stage, Bangalore  
Rep By Hon Sec, C. N. Krishna Swamy.
- 14 HAL III Stage Tax Payers And  
Residents Association, No 543,  
6 A Cross, 10 Main, 6 A Cros  
10 Main, HAL 3 Stage, Bangalore  
Rep By General Secretary  
N. S. Mani.
- 15 Sultanpalya Residents Welfare  
Association, No 45, II D Cross  
Hanumantappa Layout,  
Sultanpalya, Bangalore,  
Rep By Its Sec B. Achar.
- 16 Residents Welfare Association Regd.  
Regd No 95/84-85,  
138, Vasantha Nivas, 10 Cross,  
2 Block, Ravindranath Tagore Nagar, Bangalore,  
Rep By Its Sec TRP Naidu.
- 17 Lajnatul Ulama Karnatka  
C/O Jamia Masihul Uloom  
No 84, Armstrong Road ,  
Bangalore, Rep By President  
Shuiab Ullah.
- 18 E. R. Anantha Rao,  
Major, New No 815, Govidnappa Road,  
Bangalore.
- 19 Akhilesh D. Naidu,  
23 Yrs, No 2, Shalimar Comfort  
4 Main, Sultanpalya Main Road,  
P. T. Nagar, Bangalore.



- 20 Pattabhiramanagar Residents Welfare  
Office at No 468, 19 Main Road,  
IV T Block, Jayanagar,  
Bangalore,  
Rep By President  
H. R. Venaktaram
- 21 Citizens Initiative For Garbage  
Management Cigma, 1  
4 Main, Jayamahal, Bangalore  
Rep By Its Sec, K M Acharya
- 22 Association for Information Technology,  
Office at 15/1,  
III Floor, Dickenson Road,  
Bangalore, Rep By President  
Nagesh. S
- 23 Terrace Garden Apartment Owners  
Association, No 1/3, 2<sup>nd</sup> Main Road,  
Ittamadu, Banashankari IIIrd Stage  
III Phase, Bangalore,  
Rep By President E. K.Rajakrishnan.
- 24 Indian Society for Environmental Studies,  
1121, 19 Main, 2 A Cross,  
J. P. Nagar, II Phase, Bangalore
- 25 Social Amenities Association  
Office at 638, Seventh cross  
Eleventh Main, HAL. Second Stage,  
Indiranagar, Bangalore,  
Rep By Its Sec B. P. Guru Raja.
- 26 BTM Layout SFHS Residents  
Office at Mf 6/2, SFHS Layout  
BTM II Stage, Bannerghatta Road,  
Bangalore, Rep By Sec  
M. Unnikrishnan.



- 27 Parvathi,  
38 Yrs, W/o Mani,  
No. 24, Antia Stores,  
Jagdish Nagar, Munichappa  
New Thippasandra Post,  
Bangalore.
- 28 Residents Welfare Association  
I Block, BSK III Stage,  
III Phase, Bangalore-560 085

... PETITIONERS

(By Sri. Udaya Holla - Adv. for Petrs.)

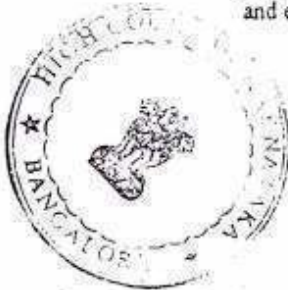
AND :

- 1 State of Karnataka  
Vidhana Soudha,  
Bangalore, Rep By Chief Secy.
- 2 Bangalore Mahanagara Palike,  
Karnataka Municipal Corporation  
Corporation Buildings, Bangalore,  
Rep By Commissioner.
- 3 The Commissioner of Police  
Bangalore, No 4, Infantry Road,  
Bangalore.

... RESPONDENTS

(By Sri. Ashok Harnahalli for Respts.)

W.P.No. 37359/2001 is filed under Articles 226 and 227 of the Constitution of India praying to direct the Respondents to enforce the provisions of the Karnataka Municipal Corporations Act, 1976 and the Karnataka Police Act, 1963 and to catch and eliminate the menace of stray dogs in the City of Bangalore.



- (a) The date on which the application was made 14-8-02
- (b) The date on which charges and additional charges if any are called for 23-8-02
- (c) The date on which charges and additional charges, if any are deposited/paid 20-8-02
- (d) The date on which the copy is ready 21-8-02
- (e) The date of notifying that the copy is ready for delivery 21-8-02
- (f) The date on which the applicant is required to appear on or before 24-8-02
- (g) The date on which copy is delivered to the applicant 23/8/02
- (h) Examined by [Signature]

BETWEEN

WP 1970/2001(LB-RES)

- 1 Subhashini K. Reddy,  
D/o.Kannaiah Reddy,  
No.4, Kenchappa Road Cross,  
Fraser Town, Blore-5. .... PETITIONER

(By Smt. Subhashini K. Reddy (In Person))

AND :

- 1 Commissioner (BMP) Bangalore Mahanagara Palike,  
N R Sq. (Near Town Hall), Bangalore- 560 002.
2. Compassion Unlimited Plus Action (CUPA)  
A registered Public Charitable Trust,  
Having its Office at No.257, 1<sup>st</sup> Cross,  
HAL II Stage, Indiranagar, Bangalore - 560 038.
3. Animal rights Fund (ARF),  
A Registered Public Charitable Trust,  
Having its Office at No. 144, 1<sup>st</sup> Phase, Girinagar,  
Bangalore-560 085.  
Represented by its Managing Trustees  
Smt. Poornima Harish. .... RESPONDENTS

By Sri. Ashok Hamahalli - Adv. for R.1  
Smt. Brinda M & B.K. Nanda Kumar for R2  
Sri. E. Massilamani for R3, Sri. D.K. Sreenivasan for R2  
Smt. Madhumita Bagchi for impleading applicants)

W.P.No.1970/2001 is filed under Article 226 and 227 of the Constitution of India praying to direct the Respondent to round up all the stray dogs of Bangalore City and sterilize all stray dogs, and etc.,

These Writ Appeals coming on for preliminary hearing this day, the Chief Justice made the following:



ORDER

One Stray Dog free Bangalore, a Society registered under the Karnataka Societies Registration Act and others have filed this PIL alleging stray dog menace in Bangalore City. It is stated that the Karnataka Municipal Corporation Act makes it an obligatory duty of the Bangalore Mahanagara Palike, the second respondent herein, to detain and destroy the stray dogs. It does not provide for allowing the dogs to stray again as is being done now contrary to law and at great danger to the health and well being of human beings. It is also stated that the respondents have arbitrarily and illegally and without justification failed to perform their statutory and constitutional duties to the residents of Bangalore. Through this PIL, the petitioners have sought for a direction to the respondents to enforce the provisions of the Karnataka Municipal Corporations Act, 1976 and the Karnataka Police Act, 1963 and to catch and eliminate the menace of stray dogs in the City of Bangalore; to discontinue the use of semple or nerve tissue vaccine and provide adequate quantities of serum or immunoglobuline and tissue culture vaccines to the victims of dog bites in the various Clinics, Health centres and other Hospitals and facilities maintained by them, among other reliefs.

2. In response to the notice, Mr. Ashok Dalwai, Commissioner, Bangalore Mahanagara Palike, filed his affidavit. The Bangalore Mahanagara Palike has adopted a system wherein the dogs are caught, sterilized, confined and euthanised depending on the situation. The

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Bangalore Mahanagara Palike is monitoring the entire activity after taking the assistance of the NGOs. It is stated that he has filed a detailed affidavit in W.P.No.1970/2001 indicating the existing system of dealing with stray dogs. The Bangalore Mahanagara Palike has adopted a system wherein the dogs are caught, sterilized, confined and euthanised depending on the situation. Bangalore Mahanagara Palike monitors the entire activity after taking the assistance of the NGOs. It has also proposed to confine dogs in certain cases in respect of which the Corporation is proposing to set up animal refuge centre. A regular program has been chalked out by Bangalore Mahanagara Palike with the involvement of NGOs.

3. It is also stated that a Monitoring Committee has been constituted which guides the NGOs. for taking corrective action and for better management and it meets once in a month and decisions taken therein are implemented by Bangalore Mahanagara Palike and the NGOs. The details of the stray dogs caught, the number of dogs sterilized and number of dogs euthanized are clearly stated vide Annexure-R.1. The performance of the NGOs. during the period October, 2001 to January, 2002 is separately listed vide Annexure-R.2 and that the details of the number of dogs caught by CUPA, SPCA AND THE Animal Rights Fund are produced vide Annexures R.3 to R.5.

4. Bangalore Mahanagara Palike is taking all possible steps to control the menace of stray dogs with the assistance of NGOs. and the Monitoring

*M. S. G.*



Committee consisting of Commissioner, Chief Health Officer, Zonal Health Officer, representative of NGOs, Professor and Assistant Professor of Anti-rabies Centres, KIMS etc., is constantly monitoring the stray dogs control program. A memo is also filed by the learned Counsel for the second respondent producing a copy of the Action Taken Report pertaining to controlling the menace of the stray dogs in Bangalore, for the period from March, 2002 to June, 2002 for perusal of this Court.

3. We have heard the learned counsel for the parties and perused the materials placed on record.

4. On consideration and in view of the submission, when the authorities concerned have taken all such precautionary measures to control the stray dog menace and is constantly monitoring the stray dog control program, it is not necessary to pass any specific order.

Writ Petitions are disposed of. However, it is expected that the authorities concerned will go on monitoring the stray dog control program.



Sd/-  
Chief Justice

Sd/-  
Judge

"TRUE COPY"  
T. G. V. Rung 21/8/02  
Section Officer  
High Court of Karnataka  
Bangalore-560 001.