

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE C.S.DIAS**

Wednesday, the 18th day of December 2024 / 27th Agrahayana, 1946
WP(C) NO. 45100 OF 2024(J)

PETITIONERS:

1. CULTURAL ACADEMY FOR PEACE REPRESENTED BY MS. BEENA SEBASTIAN, FOUNDER AND DIRECTOR, DOOR NO 41/1964, FIRST FLOOR, PIYYOLI ROAD, ERNAKULAM NORTH, KOCHI, KERALA, PIN - 682018
2. ELSAMMA S A AGED 52 YEARS, D/O ANTONY S.V, THAMARAPARAMBIL HOUSE, PUTTENKARI HARIJAN COLONY ROAD, KUMBALANGI, ERNAKULAM KERALA, PIN - 682007

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
2. STATE OF KERALA REPRESENTED BY THE SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT (RC), GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. PRINCIPAL DIRECTOR LOCAL SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
4. DIRECTOR DEPARTMENT OF PANCHAYATS, SWARAJ BHAVAN, GROUND FLOOR, NANTHANCODU, KOWDIAR.P.O, THIRUVANANTHAPURAM, PIN - 695003
5. DIRECTOR DEPARTMENT OF URBAN AFFAIRS, SWARAJ BHAVAN, GROUND FLOOR, NANTHANCODU, KOWDIAR.P.O, THIRUVANANTHAPURAM, PIN - 695003
6. ADDL.R6.KERALA STATE LEGAL SERVICE AUTHORITY, REPRESENTED BY MEMBER SECRETARY, OFFICE OF KERALA STATE LEGAL SERVICES AUTHORITY, NIYAMA SAHAYA BHAVAN, HIGH COURT COMPOUND, ERNAKULAM, KOCHI, KERALA, PIN - 682031 (IS SUO MOTU IMPEADED AS PER ORDER DATED 18-12-2024 IN WPC 45100/2024)

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to permit the Justice Siri Jagan Committee to continue to receive and assess applications pending before it and to direct the Respondents as well as concerned local authorities to pay victims the compensation as assessed by the Justice Siri Jagan Committee, pending disposal of the above Writ Petition (Civil).

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S. FERHA AZEEZ, SAFA NAVAS, ANN MARY TOMY, NIMIYA FER0Z, Advocates for the petitioners and of GOVERNMENT PLEADER for the respondents the court passed the following:

C.S.DIAS, J.

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W.P (C)No.45100 of 2024

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Dated this the 18th December, 2024

O R D E R

Admitted.

2. The learned Government Pleader takes notice for respondents. He prays for time to file a counter affidavit.

3. The learned counsel appearing for the petitioners prays for the following interim relief:

“For the reasons stated in the Writ Petition and accompanying affidavit, it is most humbly prayed that this Hon'ble Court may be pleased to permit the Justice Siri Jagan Committee to continue to receive and assess applications pending before it and to direct the respondents as well as concerned local authorities to pay victims the compensation as assessed by the Justice Siri Jagan Committee, pending disposal of the above Writ Petition (Civil)”.

4. The learned Government Pleader opposes the prayer on the ground that the interim relief is the same as the final relief prayed in the writ petition.

5. On examining the writ petition, I find that the interim relief and relief No. (i) in the writ petition are

W.P (C)No.45100 of 2024

2

the same. Consequently, the petitioners' prayer for an interim relief is declined.

6. Notwithstanding declining the interim relief, I find that the issue projected in the writ petition warrants serious consideration.

7. It is common knowledge that numerous persons in the State suffer fatal and serious injuries from attacks by animals and reptiles.

8. By Ext.P1 order, the Honourable Supreme Court had constituted a committee to redress the grievances of the victims who suffered injuries from canine bites. Subsequently, by Ext.P4 judgment, the Honourable Supreme Court has relegated the matter to the Constitutional Courts to redress such grievances.

9. It is in the above background that the present writ petition is filed.

10. In light of the directions of the Honourable Supreme Court, the alarming number of untoward

W.P (C)No.45100 of 2024**3**

incidents from animal and reptile attacks reported in the State, and the absence of comprehensive legislation on the subject, I am of the view that the matter requires serious and urgent consideration, in consultation with the stakeholders. As the Kerala State Legal Services Authority (KELSA) has a well-established framework throughout the State at the grass-root level, I am of the view that the KELSA is a necessary party in this writ petition to facilitate discussions with the Government, formulation of guidelines and working out the modalities for addressing the grievances of the victims. Hence, I *suo motu* implead the Kerala State Legal Services Authority as the additional sixth respondent in the writ petition. The Registry is directed to carry out the impleadment and issue notice to the Member Secretary, KELSA.

Accordingly, I direct respondents 1, 2, and 6 to discuss the matter and place on record the proposed

W.P (C)No.45100 of 2024**4**

measures to be adopted to redress the grievances of the victims of animal and reptile bite attacks before the next posting date.

Post on 09.01.2025.

Sd/-C.S.DIAS
JUDGE

ma/18.12.2024



APPENDIX OF WP(C) 45100/2024

Exhibit-P1

**A TRUE COPY OF THE ORDER DATED 05.04.2016 IN W.P.(C)
NO. 599 OF 2015 OF THE HONOURABLE SUPREME COURT**

Exhibit-P4

**A TRUE COPY OF THE JUDGEMENT IN W.P.(C) NO. 599 OF 2015
AND CONNECTED CASES DATED 09.05.2024**

