

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR
&
THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

Thursday, the 11th day of December 2025 / 20th Agrahayana, 1947
WP(PIL) NO. 64 OF 2025(S)

PETITIONER:

DR. C.P ABDUL KABEER, AGED 59, S/O K.I SAYED SHAIK KOYA,
CHERIYAPURAKKAD HOUSE, KALPENI ISLAND, UNION TERRITORY OF
LAKSHADWEEP- 682 557, TEMPORARILY RESIDING AT PRESENT AT
MALABAR HOUSE, WAYANAD ROAD, CIVIL STATION P.O,
KOZHIKODE - 673 020.

RESPONDENTS:

1. UNION TERRITORY OF LAKSHADWEEP, REPRESENTED BY ITS ADMINISTRATOR, KAVARATTI ISLAND, UNION TERRITORY OF LAKSHADWEEP – 682 555.
2. ADMINISTRATOR, UNION TERRITORY OF LAKSHADWEEP, KAVARATTI ISLAND, UNION TERRITORY OF LAKSHADWEEP - 682 555.
3. SECRETARY OF DEPARTMENT OF FISHERIES, AGRICULTURE, ANIMAL HUSBANDRY, UNION TERRITORY OF LAKSHADWEEP, KAVARATTI ISLAND, UNION TERRITORY OF LAKSHADWEEP - 682 555.
4. DIRECTOR (ANIMAL HUSBANDRY), DIRECTORATE OF ANIMAL HUSBANDRY, KAVARATTI ISLAND, UNION TERRITORY OF LAKSHADWEEP - 682 555.
5. DISTRICT VETERINARY OFFICER, ANIMAL HUSBANDRY (DP), KAVARATTI ISLAND, UNION TERRITORY OF LAKSHADWEEP - 682 555.
6. COLLECTOR, UNION TERRITORY OF LAKSHADWEEP, 1ST FLOOR, COLLECTOR'S BLOCK, SECRETARIAT, KAVARATTI, LAKSHADWEEP - 682 555.
7. DISTRICT PANCHAYAT, LAKSHADWEEP, KAVARATTI, REPRESENTED BY ITS PRESIDENT CUM CHIEF COUNCILOR, KAVARATTI, LAKSHADWEEP - 682 555.
8. UNION OF INDIA, REPRESENTED BY SECRETARY, DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING, NEW DELHI, PIN - 110 001.
9. ANIMAL WELFARE BOARD OF INDIA, MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING, NIAW CAMPUS, 42 MILE STONEM DELHI – AGRA HIGHWAY, NH-2, BALLABHGARHM HARYANA - 121 004, REPRESENTED BY ITS SECRETARY.
10. VETERINARY COUNCIL OF INDIA, DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING, NEW DELHI, PIN - 110 001, REPRESENTED BY ITS SECRETARY.
11. UNION PUBLIC SERVICE COMMISSION, DHOLPUR HOUSE, SHAJAHAN ROAD, NEW DELHI - 110 069, REPRESENTED BY ITS SECRETARY.

P.T.O.

Writ petition (public interest litigation) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(PIL) the High Court be pleased to issue an interim direction to the respondents to forthwith ensure uninterrupted and continuous availability and treatment services of qualified and registered Veterinary Physicians / Surgeons in all Animal Husbandry Units under the Administration of Union Territory of Lakshadweep either on temporary or permanent basis or in any other manner in all inhabited islands of Union Territory of Lakshadweep pending disposal of the Writ Petition (Civil).

This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(PIL), this Court's order dated 11/11/2025 and upon hearing the arguments of M/S. K.M.FIROZ & AASHIQUE AKTHAR HAJJIGOTHI, Advocates for the petitioner, SRI. R.V.SREEJITH & SRI.SAJITH KUMAR V, STANDING COUNSELS for R1 to R7, SRI.BENRAJ K.R., CENTRAL GOVERNMENT COUNSEL for R8 & R10, SRI. JAISHANKAR V.NAIR, CENTRAL GOVERNMENT COUNSEL for R9 and of SRI.THOMAS MATHEW NELLIMOOTTIL, STANDING COUNSEL for R11, the court passed the following:



P.T.O.

NITIN JAMDAR, C. J. & ZIYAD RAHMAN A. A., J.

=====

W. P. (PIL) No. 64 of 2025 & Con. Case (C) No. 719 of 2023

=====

Dated this the 11th day of December, 2025

ORDER

Heard Mr. K. M. Firoz, learned counsel for the Petitioner and Mr. R. V. Sreejith, learned Standing Counsel for the Lakshadweep Administration.

2. The writ petition primarily seeks to address the issue of inadequate and insufficient veterinary care in the Lakshadweep Islands. The petition seeks direction to the Union Territory (UT) Administration to ensure that sufficient number of Veterinary Surgeons are available to attend the livestock in each of the inhabited islands.

3. Earlier, while disposing of the Public Interest Litigation (which was subsequently restored), the Division Bench, taking note of the statement filed by the learned Standing Counsel for the UT Administration, had directed the Administration to explore the possibility of deputing qualified Veterinary Surgeons and non-governmental organizations to provide adequate treatment. At present, it appears that the Administration is in the process of appointing five Veterinary Surgeons on contract basis. Until such appointments are made, there are no Veterinary Surgeons available on the islands. As far back as on 31 March 2022, the Division Bench of this Court had recorded its concern that the livestock on the islands had not been

W. P. (PIL) No. 64 of 2025 &
Con. Case (C) No. 719 of 2023

-2-

provided veterinary care since 23 September 2021, and that the lack of medical attention would adversely affect their health. It is evident that no substantial progress has been made even after these observations recorded in March 2022.

4. Apart from the proposal to appoint Veterinary Surgeons on a contract basis, it is the contention of the Petitioner, as also stated in the petition, that there are twelve sanctioned posts of Veterinary Assistant Surgeon and one post of Technical Assistant under the Union Territory Administration, which were sanctioned prior to 1980. It is further pointed out by the learned counsel for the Petitioner and also noted in the statement filed on behalf of the UT Administration that there exists a Centrally Sponsored Scheme known as Livestock Health and Disease Control under which contractual appointments can also be made.

5. The first aspect that arises for consideration is the number of sanctioned posts under the Administration. The assertion made by the Petitioner in this regard has not been specifically denied. A notification issued by the Union Public Service Commission in 2020 refers to nine vacancies of Veterinary Assistant Surgeon as permanent posts. Therefore, *prima facie*, at least nine such posts appear to be permanent in nature.

6. It may also be noted that in the statement filed by the Administration on 29 March 2022, it was stated that nine posts would be filled on a contract basis. The present stand, however, indicates that the number has now been revised to five. In the same statement, an

undertaking was given that nine Mobile Veterinary Units would be established, which itself indicates the requirement of at least nine Veterinary Surgeons.

7. Therefore, *prima facie*, once there exist sanctioned permanent posts, the Administration will have to justify the non-filling of such posts with adequate explanation and supporting material. Such a decision cannot be arbitrary, particularly in the light of the Petitioner's assertions and the observations of this Court in the judgment dated 31 March 2022.

8. It also has to be noted that this petition was earlier disposed of on the statement that nine posts would be filled on a contract basis. If that number is now sought to be reduced to five, we do not find any application for modification or review of the judgment of this Court. These aspects will therefore have to be clarified by the Respondent-UT Administration. Firstly, the UT Administration shall place on record the number of sanctioned posts along with the relevant documents showing the staffing pattern and sanctioned strength; secondly, the material on record, or any study carried out, demonstrating that the decision not to fill up the sanctioned posts is a reasoned one shall be produced; and thirdly, the reason why the earlier commitment to fill nine posts is now being revised to five posts, that too without seeking leave of this Court, shall be explained. Let this counter affidavit be filed with copy to the learned counsel for the Petitioner in advance before the next date.

W. P. (PIL) No. 64 of 2025 &
Con. Case (C) No. 719 of 2023

-4-

9. Post on 7 January 2026.

10. While this process is going on as directed by this Court, the UT Administration will issue the necessary publication inviting applications and expressions of interest from local non-governmental organizations that are willing to take care of the livestock, so that the primary objective of ensuring veterinary care does not suffer due to bureaucratic delays, and medical assistance is made available in the meantime. Let this notification be placed on record by the next date. If the Petitioner is aware of any non-governmental organizations willing to render such assistance, particulars thereof shall be furnished to Respondent No. 4 – Director (Animal Husbandry).

11. We expect the procedure for appointments on a contract basis, subject to further orders, to be completed before the next date of hearing considering the abovementioned situation.

Sd/-
NITIN JAMDAR
CHIEF JUSTICE

Sd/-
ZIYAD RAHMAN A. A.
JUDGE

Eb