2026:MHC:4597

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No. 37070 of 2024
CNR:{HCMA012266122024}

M.Kamesh
No.18C, Ramadasar Salai,
Thiruverkadu-600077.

Petitioner

Vs

1.The Municipal Commissioner
Office of the Municipal Commissioner,
Thiruverkadu, Chennai 600 077.

2.The Inspector of Police
Thiruverkadu Police Station,
Chennai-600 077.

3.The Commissioner of Revenue
Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

4.The Chief Secretary,
Animal Husbandry and Fisheries
Department,
Fort St. George, Chennai-600 009.

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(R3 & R4 are suo-motu impleaded
as per the order dated 19.12.2024)

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to control these free-roaming cattle on the roads that cause inconvenience to the public, disrupt traffic in the 1st respondent municipality based on the representation of the petitioner dated 11.11.2024 within stipulated time may be fixed by this Honourable Court.

For Petitioner: Mr.R.S.Tamilvendan

For Respondents: R1 – No appearance

Mr.N.Palanivel
Govt. Advocate (Crl. Side)
for R2

Mr.C.A.Ramanan
Government Advocate
for R3 & R4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner, a practising advocate, has filed this public interest litigation seeking issuance of a writ of mandamus to direct the respondents to control free-roaming cattle on public roads within the Thiruverkadu Municipality, based on his representation dated

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2. The petitioner states that Thiruverkadu is a busy municipal area with lakhs of residents and it houses famous temples like the Karumari Amman Temple and Vedapuriswarar Temple, which attract thousands of devotees every day. The area also has many schools, colleges, hospitals and major roads connecting Ambattur, Avadi, Koyambedu and Poonamallee. According to the petitioner, stray cattle roam freely on these busy streets. They block traffic and cause frequent road accidents. Two-wheeler riders often slip on cow dung and fall. At night, cattle rest on poorly lit roads, startling drivers and causing collisions. They also attack pedestrians and damage goods in local vegetable shops. Despite sending a detailed representation on 11.11.2024, the authorities did not take any concrete action.

3. The third respondent filed a detailed status report to the effect that the State Government is strictly enforcing laws against stray cattle, namely, the Tamil Nadu Urban Local Bodies Act, 1998, the Tamil Nadu Animals and Birds in Urban Areas (Control and Regulation) Act, 1997, and the Cattle-Trespass Act, 1871. It is

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asserted that the Government issued G.O.(Ms) No.456, Revenue and Disaster Management Department, dated 20.09.2022, which sharply increased daily impounding fines to cover the rising cost of fodder, water and pound maintenance.

4. We have also perused the resolution passed by the Thiruverkadu Municipal Council (Resolution No.809 dated 04.12.2024). The Municipality admits that stray cattle are causing accidents and public nuisance. It is stated that, as the Municipality lacks trained staff to catch the animals, it resolved to hire private agencies at an estimated cost of Rs.2.00 lakhs. It also proposed levying a fine of Rs.2,000/- for a first-time offence and Rs.5,000/- for a second-time offence, failing which the cattle would be handed over to a *Gaushala* (cattle shelter).

5. We have heard learned counsel for the parties and perused the documents on record.

6. Public roads are meant for the safe movement of people and vehicles. No cattle owner has the right to let livestock wander onto public streets, endangering human lives and disrupting traffic.

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While the Municipality has taken a positive step by passing Resolution No.809, resolutions on paper mean little unless they are strictly enforced on the ground.

7. The law provides clear tools to stop this menace. Section 3 of the Tamil Nadu Animals and Birds in Urban Areas (Control and Regulation) Act, 1997 strictly forbids keeping notified animals like cattle and buffaloes in urban areas without a valid licence. Under Section 10 of the Act, authorities have full power to seize stray or unlicensed cattle and lock them in municipal pounds. If owners fail to claim them within forty-eight hours by paying fines and feeding charges, the authorities can sell the animals in a public auction. Furthermore, Section 12 of the Act makes violations punishable with imprisonment up to three years or a fine up to Rs.5,000/-.

8. Alongside this Act, the State Government has updated the daily pound maintenance fines through G.O. (Ms) No.456, dated 20.09.2022. Under this government order, owners must pay Rs.500/- per day for impounded cows, oxen, buffaloes, camels and horses, and Rs.200/- per day for calves, donkeys, pigs and goats.

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9. In view of the facts and the statutory framework placed before us, we dispose of this writ petition with the following directions and guidelines:

(i) The first respondent (The Municipal Commissioner, Thiruverkadu) shall consider the petitioner's representation dated 11.11.2024 on its merits and in accordance with law. The first respondent shall pass a speaking order and communicate the action taken to the petitioner within four weeks from the date of receipt of a copy of this order.

(ii) The authorities concerned shall enforce Section 3 of the Tamil Nadu Animals and Birds in Urban Areas (Control and Regulation) Act, 1997, in letter and spirit. All cattle owners within municipal limits must obtain a valid licence. The authorities concerned shall inspect sheds under Section 9 of the Act to ensure proper hygiene, waste disposal and domestic tethering. Every licensed animal must be tagged for easy owner identification.

(iii) The authorities concerned shall immediately execute Municipal Council Resolution No.809, dated

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04.12.2024. Dedicated teams must conduct regular daytime and night-time drives to seize all cattle found straying or tethered on public roads.

(iv) Whenever municipal teams conduct seizure drives, the jurisdictional police authorities shall provide adequate police protection. Police must ensure that cattle owners do not obstruct or threaten municipal workers, as mandated under Section 11 of the Cattle-Trespass Act, 1871.

(v) Impounded cattle shall not be released casually. The authorities concerned must collect the enhanced daily maintenance and feeding charges fixed under G.O.(Ms) No.456 dated 20.09.2022, along with the administrative penalties resolved by the Municipal Council.

(vi) If an owner fails to claim the seized cattle and pay the dues within the statutory time limit, the authorities concerned shall auction the unclaimed animals or hand them over to recognised *Gaushalas* in accordance with Section 10(4) of the 1997 Act. For repeat offenders who continually let cattle stray onto

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roads, the Licensing Officer or Police shall file written complaints before the jurisdictional Magistrate for prosecution under Sections 11 and 12 of the 1997 Act.

(vii) The authorities concerned shall issue public notices through local announcements and newspapers warning cattle owners of these strict penalties, impounding rules and criminal consequences.

10. Since the menace of stray cattle on public roads affects commuters across the entire State, the above directions (except Direction No.(i), which is specific to the petitioner's representation) shall apply to all Municipal Corporations, Municipalities, Town Panchayats and Village Panchayats throughout the State of Tamil Nadu. Respondents 3 and 4, along with the Principal Secretary to Government, Municipal Administration and Water Supply Department, and the Director General of Police, shall issue necessary circulars to all District Collectors, Local Body Commissioners and Police Authorities within four weeks to ensure strict State-wide compliance.

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With the above directions, this writ petition stands disposed of.

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There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)

17.11.2026

Index : Yes
Neutral Citation : Yes
bbr/sasi

Note to Registry:
Mark a copy of this order to:
(i) The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Chennai.
(ii)The Director General of Police
Chennai.

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3.The Commissioner of Revenue
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THE HON'BLE CHIEF JUSTICE
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