

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12517 of 2021

S.Prabakaran

.... Petitioner

Vs

- 1 The District Collector  
Nilgiris District Collector Office  
Near Charring Cross Udhagamandalam  
Tamil Nadu 643 001
- 2 The District Forest Officer  
Udhagamandalam Division Udhagamandalam  
Tamil Nadu 643 001
- 3 The Sub Collector  
Sub Collectors office Udhagamandalam  
Tamil Nadu 643 001
- 4 The Executive officer सत्यमेव जयते  
Naduvattam Town Panchayat No. 16/129  
Naduvattam Post Nilgiris 643 224
- 5 Dr. Kavitha Shenbagam  
Old Door No. 22/1 New No. 135 Pillaiyar  
Kovil Street Vellacherri Thiruvanmiyur  
Chennai Tamil Nadu 600 041

6 The Superintending Engineer  
TANGEDCO O/o. Superintending Engineer  
Complex building Coonoor Road Ooty 6 ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 to take action against the 5th respondent for encroaching reserve forest land situated in S.No.594 Naduvattam Village of Nilgiris District and consequently remove all the illegal constructions and developments made by the 5th respondent in the reserve forest and also in her patta lands.

For Petitioner : Mr.C.Vigneswaran

For Respondents : Mr.Muthukumar,  
Counsel for the State  
for respondents 1 and 3

ORDER

(made by the Hon'ble Chief Justice)

Issue notice to respondents 2 and 4 to 6; returnable three weeks hence.

2. The petitioner complains that the private respondent has purported to encroach on forest land for the purpose of setting up a resort.

3. It is absolutely imperative that not an inch of forest land be

allowed to be encroached upon in the State without a policy decision in such regard being made upon due justification. The petitioner complains that despite the District Forest Officer bringing the matter to the notice of the Additional Principal Conservator of Forest, no action has been taken and construction has commenced.

4. The District Collector, Nilgiris, and the Chief Forest official exercising jurisdiction over the area should immediately visit the spot and conduct surveys, if necessary, and ensure that the last inch of forest land that might have been encroached upon is returned to its pristine status.

5. The concerned forest official will file a report when the matter appears three weeks hence.

6. It is the further grievance of the petitioner that the private respondent has laid pipelines that extract water out of forest land. If such is the case, the same must be stopped immediately and the negligent or recalcitrant forest officials identified and steps taken against them for not being able to protect the relevant forest. This

aspect of the matter should also be covered in the report that has been called for.

7. Let copies of this petition be forwarded to the office of learned Advocate-General for the State to treat the matter with the degree of seriousness it deserves.

8. List on 30.06.2021.

(S.B., CJ.) (S.K.R., J.)  
09.06.2021

Index : yes/no  
tar

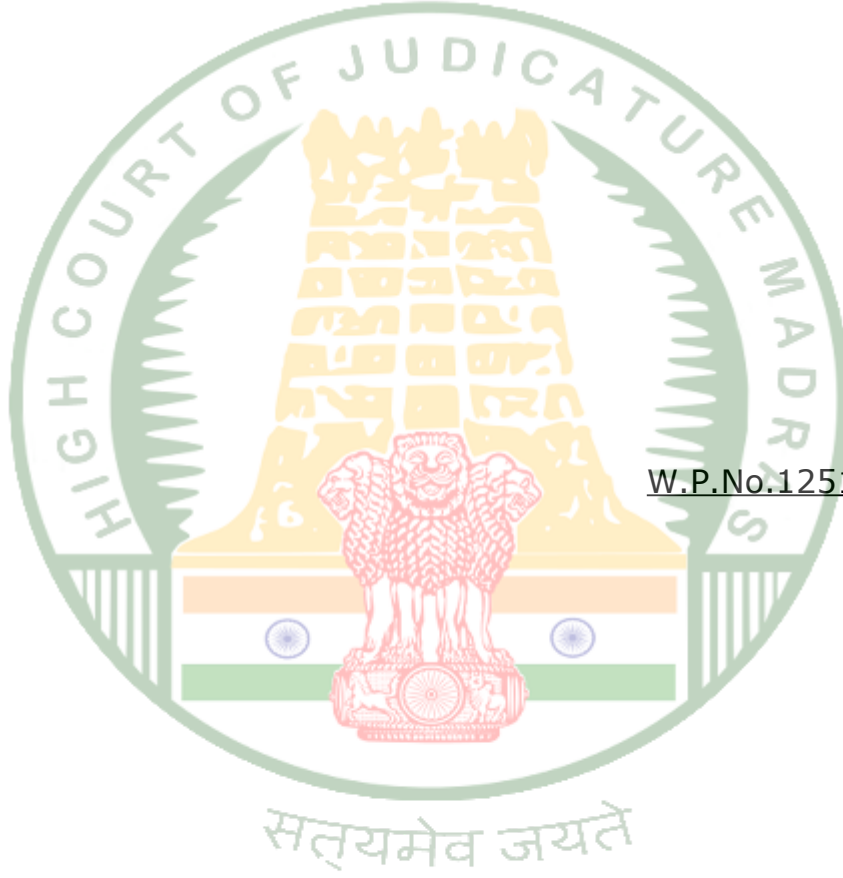


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THE HON'BLE CHIEF JUSTICE  
AND  
SENTHILKUMAR RAMAMOORTHY, J.

(tar)



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