

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-07-2026

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THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO.9009 OF 2026

in

WA(MD) NO. 962 of 2024

Tea Estates India Limited
Presently, No.10, Damu Nagar,
Coimbatore -641045
Rep by its Authorised Signatory
Mr. Antony George Gonsalves.

Petitioner(s)

Vs

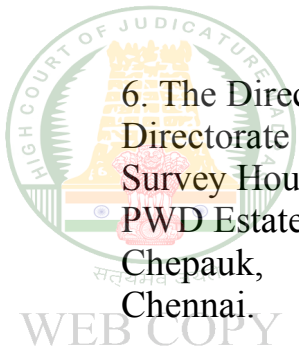
1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Chennai - 9.

2. The District Collector,
Theni District,
Theni.

3. P.Muthuveeran I.A.S,
The District Collector,
Theni District,
Theni - 625 531.

4. The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam - 625 533.

5. The Secretary to Government,
Environment Climate Change and Forests Department,
Government of Tamil Nadu,
Fort St.George,
Chennai.



6. The Director,
Directorate of Survey and Settlement,
Survey House,
PWD Estate,
Chepauk,
Chennai.

7. The Deputy Director,
Megamalai Division (Srivilliputhur)
Megamalai Tiger Reserve Theni.
(R.5 to R.7 are suo motu impleaded vide
order of this Court dated 07.03.2023)

8. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Theni District.

9. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Chinnamannur Sub Station Campus,
Theni District.

Respondent(s)

For Appellant(s):

Mr.T.Sivanandaraj
Senior Counsel
for Mr.V.Karthikeyan

For Respondent(s):

Mr.P.V.Balasubramaniam
Additional Advocate General
Assisted by
Mr.M.Kannan
Government Advocate

Prayer for W.A(MD)No.962 of 2024: Writ Appeal filed Under Clause 15 of Letters Patent, to set aside the order dated 18-12-2023 passed in W.P(MD)No.5016 of 2010.

Prayer for C.M.P(MD)No.9009 of 2026: Civil Miscellaneous Petition filed under 151 of CPC to direct the Respondents to de-seal the Appellant's heritage plantation / inspection



and eco-tourism bungalows, namely, cloud Mountain Bungalow, Sand River Bungalow and Manalar Bungalow, which have been sealed without notice, without affording an opportunity of hearing and in violation of the interim orders passed by this Court dated 12.06.2024 and 23.06.2026 and consequently restore the Appellant to the use and enjoyment of the said bungalows, pending disposal of W.A(MD)No. 962 of 2024 and thus render justice.

ORDER

(Order of the Court was made by the Hon'ble G.R.Swaminathan J.)

The learned Senior Counsel appearing for the appellant and the learned Additional Advocate General appearing for the Government agree that the Writ Appeal can be taken up for final hearing on 21.08.2026.

2.Registry is directed to list the Writ Appeal for final hearing on **21.08.2026**.

3.The appellant has filed this CMP for desecaling the petition mentioned bungalows belonging to the appellant.

4.It is stated that the petition mentioned bungalows were sealed on 04.07.2026. It is conceded by the respondents that no prior notice was given before sealing the premises. On the very face of it, the action of the respondents is in breach of the principles of natural justice. But the learned Additional Advocate General points out that the officials merely carried out the mandate issued by the Hon'ble Supreme Court in ***Civil Appeal Nos. 6395-6397 of 2025 (A.John Kennedy & Others Vs State of Tamil Nadu & Others)***.

Paragraph 66, Clause iii and ix of the said order read as follows:



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“66. In view of the foregoing discussion, this Court is of the opinion that, despite the steps taken by the State, the matter requires a structured, time bound and closely monitored framework to ensure effective implementation and consequences for non-compliance. The assurances and commitments made in the reply affidavit must translate into concrete, measurable and verifiable action on the ground through effective monitoring, institutional accountability and sustained enforcement. Accordingly, we issue the following directions:

...

iii) The State Law Department shall continuously monitor all proceedings relating to encroachments pending before district courts and other judicial forums and take appropriate measures for their expeditious disposal. The status of all pending cases relating to the encroachments before various forums shall be submitted for perusal of this Court in a tabular form supported by an affidavit on the next date of hearing.

...

ix) All illegal resorts, commercial establishments, and tourism-related infrastructure operating within the Megamalai area and other forest lands shall be made non-operational forthwith and dismantled in accordance with law and by ensuring minimum disruption to the forest area. All electricity connections and unauthorised transmission lines servicing such encroachments shall also be disconnected and removed forthwith. The aforesaid procedure shall be carried out in the supervision of the CEC.”

5. The Additional Advocate General points out that since the directions were to be complied with immediately, the question of issuing prior notice would not arise at all.

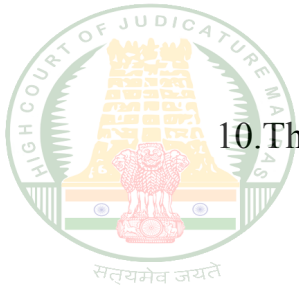


6. In response thereto, the learned Senior Counsel appearing for the appellant pointed out that the scope of the appeal before the Hon'ble Supreme Court pertained only to reserve forests, wild life sanctuaries and tiger reserves in the State of Tamil Nadu.

7. No doubt, in Megamalai area, there is a notified tiger reserve. Such notification would contain the survey numbers of the lands covered by it. We posed a specific question to the respondents as to whether Survey Nos. 2121 and 2122, in which the petition mentioned bungalows are situated have been included in the said notification. The officials assisting the learned Additional Advocate General were unable to come out with any response.

8. The learned Senior Counsel on the other hand asserted that these two survey numbers are patta lands and have not been included in the notification. He further pointed out that the petition mentioned bungalows were constructed about 6 decades ago. He also added that the said bungalows have been used for commercial purposes only with the permission of the Government. The materials enclosed in the typed set of papers clearly bear out the said assertion. Since we propose to take up the matter for final hearing on 21.08.2022 by granting interim relief to the appellant, no prejudice will be caused to the respondents.

9. Since we are *prima facie* satisfied that the bungalows are situated only in patta lands and not in a reserved forest, wild life sanctuary or tiger reserve and that the impugned action was taken without issuing any notice, we direct the respondents to forthwith desal the premises.



10. This Civil Miscellaneous Petition is allowed on these terms.

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(G.R.SWAMINATHAN J.) (P.VADAMALAI J.)
17-07-2026

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Note: Issue order copy on 20.07.2026.

To

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Revenue Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 9.

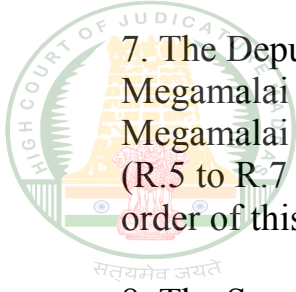
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