

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.15734 of 2015

Raj Kumar ... Petitioner

vs

- 1 The Secretary
Government of Tamilnadu Revenue Department
Secretariat Chennai-9.
- 2 The District Collector
Uthagamandalam Nilgiris District.
- 3 The District Revenue Officer
Uthagamandalam Nilgiris District.
- 4 The Tahsildar
Tahsildar Office Coonor Nilgiris District.
- 5 The Tahsildar
Tahsildar Office Gudalur Nilgiris District.
- 6 The Tahsildar
Tahsildar Office Pandalur Nilgiris
District.
- 7 The Tahsildar
Tahsildar Office Uthagamandalam Nilgiris
District.
- 8 The Tahsildar
Tahsildar Office Kothagiri Nilgiris District.
- 9 The Secretary
Labour Welfare Department Thenampettai
Chennai-18.
- 10 Deputy Commissioner of Labour
Deputy Commissioner of Labour Office
Coonoor-1 Nilgiris District.

- 11 Manjushree Plantation (P) Ltd.
Rep. by its Managing Director New Hopes (P.
O) Gudalur Taluk Nilgiris District.
- 12 Hindustan Lever Limited
Rep. by its Managing Director Dever Solai(P.
O) Gudalur Taluk Nilgiris District.
- 13 Silver Cloved Tea Plantation
Rep. by its Managing Director Melgudalur
and Post Gudalur Taluk Nilgiris District.
- 14 Periyasolai Tea Plantation
Rep. by its Managing Director Gudalur Taluk
Nilgiris District.
- 15 Wood Briar Plantation (P) Ltd.
Rep. by its Managing Director Deversolai(P.
O) Gudalur Taluk Nilgiris District.
- 16 Mahaveer Tea Plantation
(P) Ltd. Rep. by its Managing Director
Naduvattam (P.O) Gudalur Taluk Nilgiris
District.
- 17 Parry Agro Plantation (P) Ltd.
Rep. by its Managing Director Pandalur (P.
O) Pandalur Taluk Nilgiris District.
- 18 Craigmere Plantation India (P)
Ltd. Rep. by its Managing Director
Kolacombai (P.O) Coonoor Taluk Nilgiris
District.
- 19 Nonsuch Tea Estate
Rep. by its Senior Manager Group Office
Non such (P.O) Coonoor Nilgiris.
- 20 AVT Sutton & Kattery Groups
Rep. by its Managing Director Kattery (P.O)
Coonoor Taluk Nilgiris District.
- 21 Coonoor Tea Estate Ltd.
Rep. by its Managing Director Adar Estate
Coonoor (PO) Nilgiris District.
- 22 Bengorm Estate
Rep. by its Managing Director Hudical (P.O)
Coonoor Taluk Nilgiris District.

- 23 Stanes Amalaganth Tea
Plantation Pvt. Ltd. Rep. by its Managing
Director Kotada Estate Kothagiri Taluk
Nilgiris District.
- 24 Kilkotagiri Tea Plantation
Pvt. Ltd. Rep. by its Managing Director
Kilkotagiri (P.O) Nilgiris District.
- 25 Kothari (a) Glanworth Tea
Plantation (P) Ltd. Rep. by its Managing
Director Glendale Estate Katteri (PO)
Coonoor Taluk Nilgiris District.
- 26 Neelamalai Agro Plantation
(P) Ltd. Rep. by its Managing Director
Devasola Estate Palakula (P.O) Coonoor
Taluk Nilgiris District.
- 27 Singara Tea Estate
Rep. by its Senior Manager Coonoor-1
Nilgiris District.
- 28 Terramiah Tea Plantation
Rep. by its Managing Director Thuthurmattam
(PO) Coonoor Taluk Nilgiris District.
- 29 Kolacombai Tea Manufacturing
(P) Ltd. Rep. by its Managing Director
Kolacombai (PO) Coonoor Taluk Nilgiris
District.
- 30 B.B.T.C. Tea Plantation Ltd.
Rep. by its Managing Director Dansandal
Estate Udhagamandalam Nilgiris District.
- 31 Kilthattapallam Estates Ltd.
Rep. by its Managing Director
Kilthattapallam (PO) Kothagiri Taluk
Nilgiris District.
- 32 The Secretary
Tamil Nadu Planters Association No.47 ATT
Colony Coimbatore-641018. .. Respondents

Petition filed under Article 226 of the Constitution of India
praying for issue of Writ of Mandamus to direct the respondents No.1
to 8 to take into their custody the revenue lands in Nilgiris
District with an extent of approximately 66000 acres which were
trespassed into and occupied by the respondents No.11 to 31 and allot

the said land to the estate labourers who are working for more than 20 years in an equal ratio and also direct the respondents No.9 and 10 to take appropriate legal action against the respondents No.11 to 31 for non-providing of the basic amenities to the labourers as per the Labour Act

For Petitioner .. Mr.N.Rajendran

For Respondents .. Mr.S.T.S.Moorthy
Govt. Pleader for RR 1 to 10
NA .. R11 to R32

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O R D E R

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

The petitioner was an erstwhile worker of respondent no.18 and his services are stated to have been terminated. In such a situation, having angst not only against respondent no.18, he seeks to raise multifarious issues against all the Tea Estates of the area. These issues pertain to enforcement of rights under different statutes of workers employed in the industry and of land being trespassed by the private respondents where cultivation is going on. The only document filed with the petition is the information obtained under the Right to Information Act about the status of certain lands.

2.On hearing the learned counsel for the petitioner, we feel that this petition is more adverting to the personal grievance of the petitioner than being a Public Interest Litigation. We may, however, hasten to add that there is no doubt that the concerned authorities / respondents 1 to 10, are always liable to look into the enforcement of the labour welfare measures in the area on a case-to-case basis, as also whether there is need to remove any encroachment/trespass into Government land under different Statutes. That being a job of the concerned authorities under different Statutes, they are obliged to do so.

3.We, accordingly, close the writ petition. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1 The Secretary to Govt.,
Revenue Department Secretariat Chennai-9.
 - 2 The District Collector
Uthagamandalam Nilgiris District.
 - 3 The District Revenue Officer
Uthagamandalam Nilgiris District.
 - 4 The Tahsildar
Tahsildar Office Coonor Nilgiris District.
 - 5 The Tahsildar
Tahsildar Office Gudalur Nilgiris District.
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 - 8 The Tahsildar
Tahsildar Office Kothagiri Nilgiris District.
 - 9 The Secretary
Labour Welfare Department Thenampettai Chennai-18.
 - 10 Deputy Commissioner of Labour
Deputy Commissioner of Labour Office
Coonoor-1 Nilgiris District.
- +1 cc to Government Pleader, SR.26667.

Br (co)
krd 11/6

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