

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.10324 of 2013
and
M.P.No.1 of 2013

S.Jayachandran

... Petitioner

-vs-

1. The Principal Secretary to
Government of Tamil Nadu,
Environment & Forests Department,
Secretariat,
Fort St. George,
Chennai-9.
2. Principal Chief Conservator of Forests,
Panagal Maaligai,
Saidapet,
Chennai-15.
3. The District Collector,
Nilgiris Collectorate,
Ooty-1,
Nilgiris.
4. The District Forest Officer,
Nilgiris North,
District Forest Complex,
Mount Stewart Hill,
Ooty-1.
5. Belmountain (Belmont),
Kurumbarpallam,
Bokkapuram,
Masinagudi, Ooty Taluk,
Nilgiris Taluk.

वेदमेव जयते
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6. Blue Valley Resort,
Thotlingi, Masinagudi,
Ooty Taluk,
Nilgiris District.
7. Wild Adventure,
Thotlingi, Masinagudi,
Ooty Taluk, Nilgiris District.
8. Monarch Safari Park,
Thakkal, Bokkapuram, Masinagudi,
Ooty Taluk, Nilgiris District.
9. Mahendra Resort,
Kovilpatti, Masinagudi,
Ooty Taluk, Nilgiris District.
10. Safari Land,
Masinagudi,
Ooty Taluk, Nilgiris District.
11. Forest Hills,
Kovilpatti, Masinagudi,
Ooty Taluk, Nilgiris District.
12. Junge Retreat,
Kovilpatti, Masinagudi,
Ooty Taluk, Nilgiris District.
13. Jungle Hut,
Kovilpatti, Masinagudi,
Ooty Taluk, Nilgiris District.
14. Bear Mountain,
Kovilpatti, Masinagudi,
Ooty Taluk, Nilgiris District.
15. Mist Valley Resort,
Kovilpatti.
16. Glenview,
Kovilpatti, Bokkapuram, Masinagudi,
Ooty Taluk, Nilgiris District.
17. Jain Resorts,
Vazhaithottam, Masinagudi,
Ooty Taluk, Nilgiris District.

18.Mountain Mist,
Chokkanalli, Masinagudi,
Ooty Taluk, Nilgiris District.

19.Glanton Manor,
Segur, Vaazhathottam,
Masinagudi,
Ooty Taluk, Nilgiris District.

20.Jungle Gate,
Mavanalla (Part), Masinagudi,
Ooty Taluk, Nilgiris District.

21.Blue Mountain,
Semmanatham Road,
Masinagudi,
Ooty Taluk, Nilgiris District.

22.River Valley,
Mavanalla (Part),
Masinagudi,
Ooty Taluk, Nilgiris District.

23.Wild Haven,
Sadapatti, Masinagudi,
Ooty Taluk, Nilgiris District.

24.Leegwood Estate Resort,
Leegwood (Singara), Masinagudi,
Ooty Taluk, Nilgiris District.

25.Lyla Estate Resort,
Lyla Estate Singara, Masinagudi,
Ooty Taluk, Nilgiris District.

26.Pradhap Chandra Reddy Resort,
Northern Hey Estate, Masanagudi,
Ooty Taluk, Nilgiris District.

27.Pradheep Sampath Residence,
Northern Hey Estate, Masinagudi,
Ooty Taluk, Nilgiris District.

28.Sanram Residence,
Northern Hey Estate,
Masinagudi,
Ooty Taluk, Nilgiris District.

29. Wilds at Northern Hay Resort,
Northern Hay Estate, Masinagudi,
Ooty Taluk, Nilgiris District.
30. Abdul Rahman Kasim Sait Residence,
Northern Hay Estate, Masinagudi,
Ooty Taluk, Nilgiris District.
31. Indira Reddy Iyar Resort,
Northern Hay Estate, Masinagudi,
Ooty Taluk, Nilgiris District.
32. Green Park Resorts,
Masinagudi, Singara Road,
Masinagudi, Ooty Taluk, Nilgiris District.
33. Wild Breeze Resort,
Masinagudi Singara Road, Masinagudi,
Ooty Taluk, Nilgiris District.
34. Srinivasa Rao Residence,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
35. Charles Edward Residence,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
36. Kumar Residence,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
37. Chalats Resorts,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
38. Sheeba Resort,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
39. Tiger Paw Resorts,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
40. Secret Ivory Resorts,
Achkarai, Masinagudi,
Ooty Taluk, Nilgiris District.

41. Bamboo Banks Guest House,
Achakkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
42. Jungle Paradise Resorts,
Achakkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
43. Abid Residence,
Achakkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
44. Friends Farm Guest House,
Achakkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
45. Tamarind Guest House,
Achakkarai, Masinagudi,
Ooty Taluk, Nilgiris District.
46. Singara Sait,
Singara Estate, Masinagudi,
Ooty Taluk, Nilgiris District.
47. Vargheese Resort,
Masinagudi – Singara Road,
Masinagudi,
Ooty Taluk, Nilgiris District.
48. Mohamed Abib Residence,
Masinagudi – Singara Road,
Masinagudi,
Ooty Taluk, Nilgiris District.
49. New Mountaina Resort,
Masinagudi,
Ooty Taluk, Nilgiris District.
50. Quiet Corner India,
Mavanalla, Masinagudi,
Ooty Taluk, Nilgiris District.
51. St. Xavier's Lodge,
Masinagudi,
Ooty Taluk, Nilgiris District.
52. Coloniya,
Mavanalla,
Ooty Taluk, Nilgiris District.

53.Nilgiri Guest House,
Achakkarai,
Ooty Taluk, Nilgiris District.

54.River View Resort,
Mavanalla,
Ooty Taluk, Nilgiris District.

55.Casa Deep Woods,
Bokkapuram,
Ooty Taluk, Nilgiris District.

56.M.K.Dot Com,
Masinagudi,
Ooty Taluk, Nilgiris District.

57.Annakkadu,
Singara,
Ooty Taluk, Nilgiris District.

58.Tiger Manor,
Masinagudi,
Ooty Taluk, Nilgiris District.

59.Wild India Tourist Home,
Masinagudi,
Ooty Taluk, Nilgiris District.

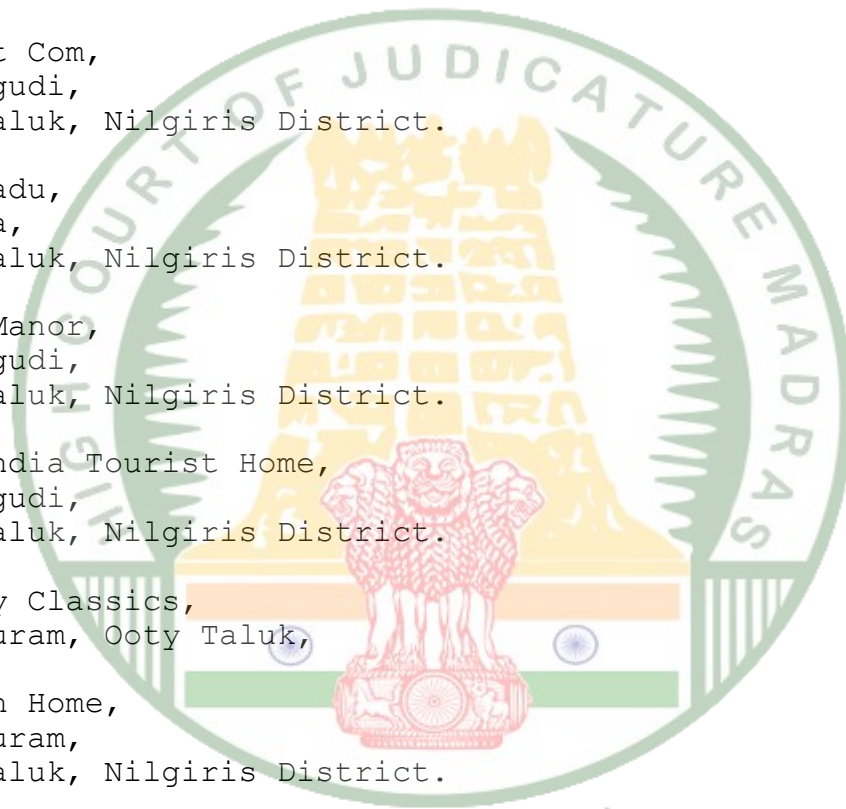
60.Country Classics,
Bokkapuram, Ooty Taluk,

61.British Home,
Bokkapuram,
Ooty Taluk, Nilgiris District.

62.The Nest Inn,
Masinagudi,
Ooty Taluk, Nilgiris District.

63.Beverly Hills Eco-Camp,
Mavanalla,
Ooty Taluk, Nilgiris District.

64.Muthu-Homestay,
Vaazhathottam,
Ooty Taluk, Nilgiris District.



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65.Guest-House, Pradap,
Mavanalla,
Ooty Taluk, Nilgiris District.

66.Rolling Stone,
Vaazhathottam,
Ooty Taluk, Nilgiris District.

67.Wilds at Kalmalai,
Singara,
Ooty Taluk, Nilgiris District.

... Respondents

(Respondents 5 to 67 impleaded as
per Court order dt. 25.04.2013)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents herein to prohibit illegal commercial operations/tourism in the unauthorised resorts in the elephant corridor notified by G.O.Ms.No.125, Environment and Forest (FR5) Department, dated 31.8.2010 within the time frame as may be fixed by this Court.

For Petitioner : Mr.M.Santhanaraman

For Respondents : Mr.M.K.S.Subramaniam
Spl. G.P. for RR1,2,4
Mr.STS.Moorthy,
Govt. Pleader for RR3
Mr.R.Shanmugam for R10
Mr.K.Raja for RR40,47,51,59,62
Mr.S.V.R.Ram prasad for RR23, 63
Mr.V.Gubendran for
M/s.Rank Associates for RR55
Mr.N.Damodaran for RR33, 34
Mr.Mohammed Shaffig for RR6,11 to 13
Mr.C.Prakasam for RR42
Mr.A.V.Ilango for RR41
Mr.Sathish Parasaran for RR46
Mr.Arunkarthik Mohan for RR8
Ms.P.T.Asha for
M/s.Sarvabhauman Associates for RR45

ORDER

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

After some arguments, the learned counsel for the petitioner fairly concedes that the interim order passed by the Hon'ble Supreme Court against the order of the Division Bench of this Court had been

continued till further orders, in terms whereof, dispossession and demolition of the properties of the private respondents has been restrained. He, thus, submits that keeping in mind his prayer in the present writ petition to stop the business activities, he will move the Hon'ble Supreme Court to seek clarification or further direction in respect thereof before the Hon'ble Supreme Court in the S.L.P. filed, in which the leave is stated to have been granted.

2. The writ petition, thus, closed in the aforesaid terms. No costs. Consequently, M.P.No.1 of 2013 is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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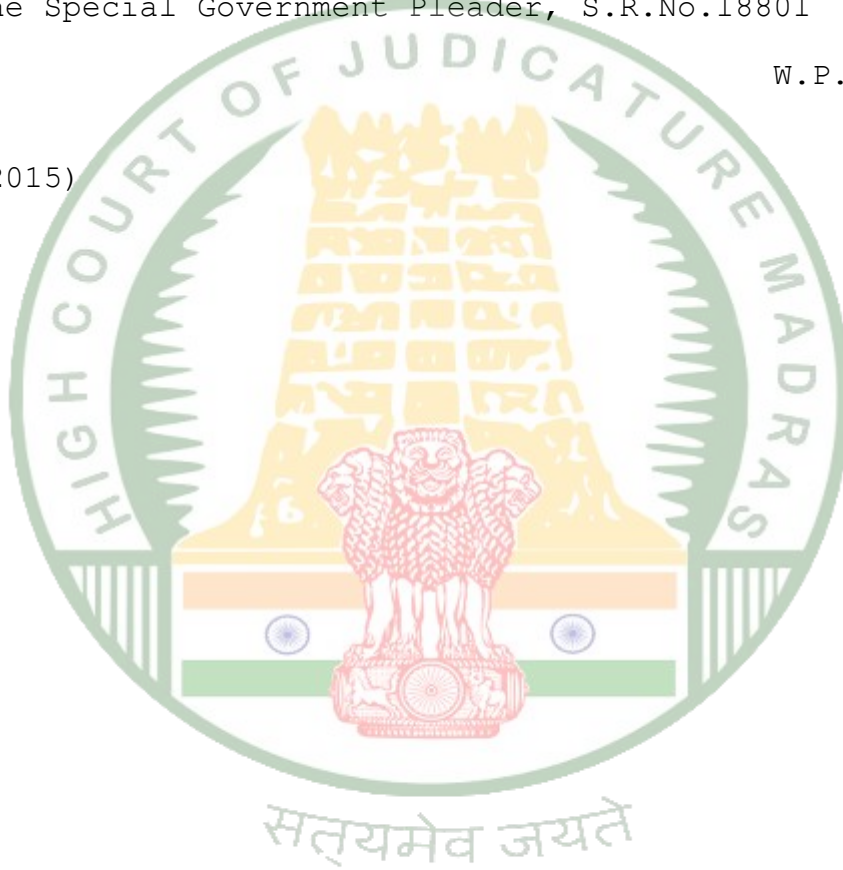
To

1. The Principal Secretary to
Government of Tamil Nadu,
Environment & Forests Department,
Secretariat,
Fort St. George,
Chennai-9.
2. Principal Chief Conservator of Forests,
Panagal Maaligai,
Saidapet,
Chennai-15.
3. The District Collector,
Nilgiris Collectorate,
Ooty-1,
Nilgiris.
4. The District Forest Officer,
Nilgiris North,
District Forest Complex,
Mount Stewart Hill,
Ooty-1.

+1cc to M/s.Rank Associates, Advocate, S.R.No.19334
+1cc to Mr.M.Santhanaraman, Advocate, S.R.No.18963
+2cc's to Mr.N.Damodaran, Advocate, S.R.No.18937
+1cc to Mr.K.Raja, Advocate, S.R.No.18857
+2cc's to Mr.Ram Prasad, Advocate, S.R.No.18892
+1cc to Mr.Mohammed Shaffig, Advocate, S.R.No.18848
+1cc to Mr.Sathish Parasaran, Advocate, S.R.No.18854
+1cc to Mr.ArunKarthick Mohan, Advocate, S.R.No.18853
+1cc to Mr.C.Prakasam, Advocate, S.R.No.19050
+1cc to M/s.Sarvabhauman Associates, Advocate, S.R.No.19175
+1cc to the Government Pleader, S.R.No.18980
+1cc to the Special Government Pleader, S.R.No.18801

W.P.No.10324 of 2013

SR(CO)
CA(15/04/2015)



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