

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.28062 of 2013

Elephant G.Rajendran, Advocate

.. Petitioner

-vs-

- 1.The Secretary,
Dept. of Forest & Environment,
Secretariat, Chennai-9.
- 2.The Principal Chief Conservator of
Forests, Panagal Maligai,
Saidapet, Chennai-15.
- 3.The Chief Wildlife Warden,
Panagal Maligai, Saidapet,
Chennai-15.
- 4.The Secretary,
Ministry of Environment & Forests,
Paryavaran Bhawan, C.G.O. Complex,
Lodhi Road, New Delhi 110 003.
- 5.The District Collector,
Nilgiris District, Ooty.
- 6.The Assistant Director of Panchayat,
District Collector Office,
Nilgiris District.
- 7.The Executive Officer,
Masinagudi Panchayat,
Nilgiris District.
- 8.The Executive Officer,
Sholur Panchayat, Nilgiris District.
- 9.The Executive Officer,
Dodapetta Panchayat, Nilgiris District.

10.The Executive Officer,
Nanjanadu Panchayat, Nilgiris District.

11.The Executive Officer,
Thumnapatty Panchayat, Nilgiris District.

12.The Superintending Engineer,
Tamilnadu Electricity Board,
Ooty, Nilgiris District.

13.The Chairman,
Tamilnadu Electricity Board,
Anna Salai, Chennai-2.

14.The District Forest Officer (South),
Ooty, Nilgiris District.

15.The District Forest Officer (North),
Ooty, Nilgiris District.
(RR 5 to 15 impleaded as per order
dt.25.07.2014 in MP.1/2014)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondent to close all the Bore Wells in the resort/ hotels and disconnect the Electricity supply given to the electric motors which are used for lifting subsoil water with further direction to prevent the collection of water from river, well etc.

For Petitioner : Mr.Elephant G.Rajendran
Party-in-person

For Respondents : Mr.M.K.Subramanian
Spl.G.P. (F) for RR 1 to 3, 14 & 15
: Mr.S.Rathnasabapathy, SPLCG/R4
: Mr.V.Shanmugasundar, GA/RR5-11
: Mr.S.K.Raameshwar for RR 12 &13

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O R D E R

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

We have heard the learned counsel for parties and perused the records.

2.We are of the view that as the Hon'ble Supreme Court is in seizin of the dispute qua a number of such resorts, that judgment would provide the guidance for the respondent authorities as to how to proceed in the matter whether in respect of those resorts or other resorts.

3.Learned Special Government Pleader (Forests) appearing for the respondents states that the matter before the Hon'ble Supreme Court is expected to be listed in September, 2016 and once the benefit of that judgment is available, they will take necessary action in accordance with law in terms of the guidance provided by the Hon'ble Supreme Court whether qua resorts before them or other resorts.

4.Writ petition, accordingly, stands disposed of. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

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+1 cc to Mr.S.K.Rameshuwar, advocate,sr.41871

+1 cc to Mr.S.Rathnasabapathy,advocate,sr.41786

+1 cc to Govt.Pleader,sr.41658.

sr(co)
krd 5/8

W.P.No.28062 of 2013

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