

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.07.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.19411 of 2013

1. V.Mani
2.A.Balan

... Petitioners

Versus

1. The Chief Secretary and Chairperson
State Level Monitoring Committee under the
Scheduled Tribes and other Traditional Forest
Dwellers (Recognition of Forest Rights) Act, 2006
Fort St.George, Chennai 600009.

2.The District Collector and Chairperson
District Level Committee under the
Scheduled Tribes and other Traditional Forest
Dwellers (Recognition of Forest Rights) Act, 2006
Nilgiris District, Udthagamandalam.

3. The Revenue Divisional Officer and Chairperson
Sub Divisional Level Committee under the
Scheduled Tribes and other Traditional Forest
Dwellers (Recognition of Forest Rights) Act, 2006
Coonoor Sub Division.

4.State of Tamilnadu
rep. by its Secretary
Department of Environment and Forest
Fort St.George,
Chennai 600 009.

5.Union of India,
rep. by its Secretary
Ministry of Environment and Forest,
Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi 110 003.

6.Union of India,
rep. by its Secretary
Ministry of Tribal Welfare
Paryavaran Bhavan,
CGO Complex, Lodhi road,
New Delhi 110 003.

7. The Block Development Officer (BP)
Gudalur Panchayat Union,
Nilgiris District.
(R7-impleaded vide order of Court
dt:21/7/2016 made in MP.1/14 in
WP.19411/2013)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents to complete the recognition of rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2007, recognise the community rights as well as the individual rights of the petitioners and consequently issue pattas to the petitioners in Survey Old No.163/New No.130, Masinagudi Village, Nilgiris District.

For Petitioner ::: Mr.D.Nagasaila
For Respondents ::: Mr.M.K.Subramanian for R.4
Mr.S.T.S.Murthi
Government Pleader
assisted by
Mr.V.Shanmugasundar
Government Advocate for R.1 to
R.3 and R.7
Mr.Su.Srinivasan
Assistant Solicitor General for
R.5 and R.6

सत्यमेव जयते
O R D E R

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

Learned counsel appearing for the Department of Environment and Forest, State of Tamil Nadu/4th respondent states that pursuant to the order of the Hon'ble Supreme Court of India in Transfer Case (Civil) Nos.39 of 2015 with SLP.(C) Nos.11408 - 11409 of 2009 dated 01.02.2016, the process of enumeration and verification of the residents of the area is going on to determine the eligible persons. He states that it will take about a month's time.

2. In view of the aforesaid, we dispose of the writ petition with a direction that the interim order would continue to enure for the benefit of the petitioners till such time as the aforesaid process is completed.

3. The writ petition accordingly stands disposed of, leaving the parties to bear their own costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

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3. The Revenue Divisional Officer and Chairperson
Sub Divisional Level Committee under the
Scheduled Tribes and other Traditional Forest
Dwellers (Recognition of Forest Rights) Act, 2006
Coonoor Sub Division.

4.The Secretary
Department of Environment and Forest
Fort St.George, Chennai 600 009.

5.The Secretary
Ministry of Environment and Forest,
Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi 110 003.

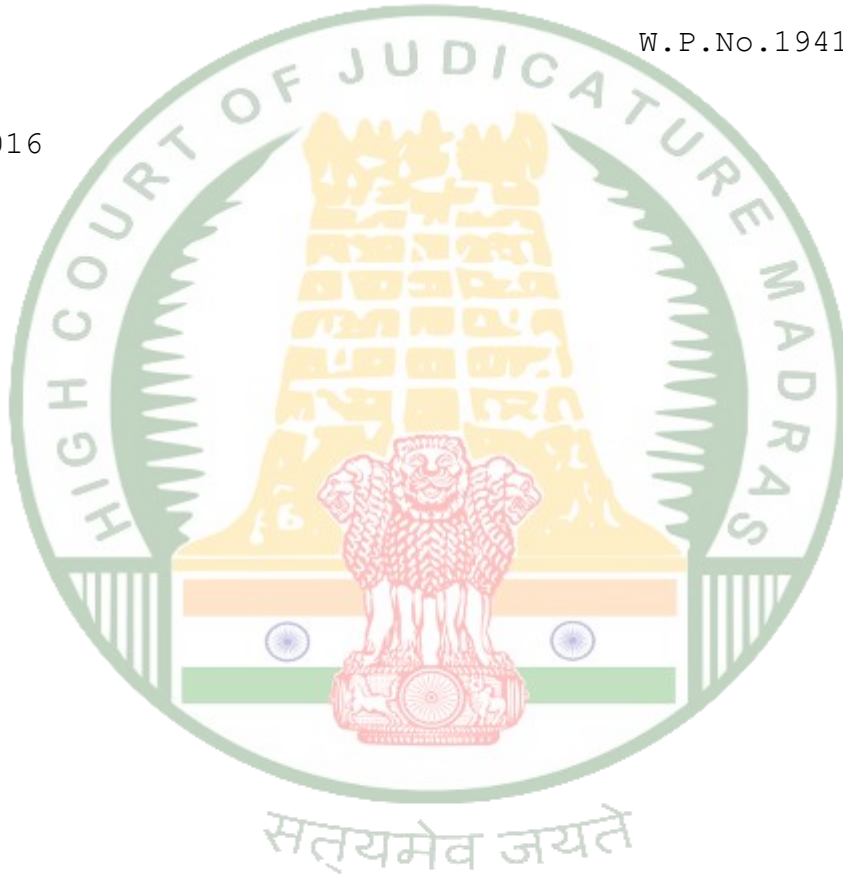
6.The Secretary
Ministry of Tribal Welfare
Paryavaran Bhavan, CGO Complex, Lodhi road,

7. The Block Development Officer, Gudalur Panchayat Union,
Nilgiris District.

+1 cc to Mr.D.Nagasaila Advocate sr.41419
+1 cc to the Government Pleader sr.41573
+1 cc to the Special Government Pleader forest sr.41659

W.P.No.19411 of 2013

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