

In the High Court of Judicature at Madras

Dated : 07.7.2017

Coram :

The Honourable Mr.Justice NOOTY.RAMAMOHANA RAO

and

The Honourable Mr.Justice M.DHANDAPANI

Writ Appeal No.767 of 2017 & CMP.No.10527 of 2017

Hindustan Unilever Limited,  
Chennai-28.

...Appellant

Vs

1.The State of Tamil Nadu, rep.by  
its Secretary, Revenue Department,  
Fort.St.George, Chennai-9.

2.The Settlement Officer & District  
Revenue Officer, Gudalur Janman  
Lands, Gudalur, The Nilgiris District.

3.The District Collector, Collectorate,  
Udhagamandalam, The Nilgiris.

4.The District Revenue Officer,  
Collectorate, Udhagamandalam.  
The Nilgiris.

5.The District Forest Officer,  
Gudalur, The Nilgiris.

6.The Revenue Divisional Officer,  
Gudalur, The Nilgiris.

...Respondents

APPEAL under Clause 15 of the Letters Patent against the  
order dated 20.12.2016 made in W.P.No.25610 of 2011.

WP.No.25610 of 2011:Writ Petitions filed Under Article 226 of  
the Constitution of India seeking a Writ of Certiorari Calling  
for the records of the second respondent comprised in the  
Notification issued by the fourth respondent dated 3.8.2011 in  
Na.Ka.No.370/2011 as published in the Nilgiris District Gazette  
Extra Ordinary Edition dated 11.8.2011 and quash the same as  
being arbitrary and illegal and violative of the Tamil Nadu  
Gudalur Janmam Estates (Abolition and Conversion into Ryotwari)  
Act 1969.

For Appellant

:Mr.P.S.Raman, SC  
for Mr.R.Parthasarathy

For Respondents 1 to 4 & 6:Mr.M.K.Subramanian, GP

For Respondent-5

:Mr.Santhana Raman, AGP

#### JUDGMENT

(Judgment was delivered by NOOTY.RAMAMOHANA RAO,J)

Heard Mr.P.S.Raman, learned Senior Counsel appearing on behalf of the learned counsel for the appellant, the Additional Government Pleader (Forests) and the Government Pleader appearing for respondents 1 to 4 and 6.

2. The learned Senior Counsel appearing on behalf of the appellant has elaborately taken us through the provisions of the Gudalur Janman Estates (Abolition and Conversion into Ryotwari) Act, 1969 and the Rules of 1974 made thereunder. The learned Senior Counsel has also extensively canvassed about the correctness of the view taken by the learned Single Judge.

3. However, when we have pointed out to the learned Senior Counsel that the learned Single Judge has preserved the interests of the appellant before us adequately, the learned Senior Counsel has suggested that the same protection should have been extended to the proceedings before the Settlement Officer, which are either pending or which are likely to be taken up by the Settlement Officer once again upon the order of remand being passed either by the Appellate Authority or by the Revisional Authority.

4. When we have put this to the learned Additional Government Pleader and the Government Pleader, they are fair enough to convey that there could not be any objection, in principle, to any such additional protection being made available to the appellant.

5. In this view of the matter, we dispose of the writ appeal, making it clear that the protection, which the learned Single Judge has extended in his order, shall also be available for the appellant to be pressed into service while participating in the proceedings before the Settlement Officer. No costs. Consequently, the above MP is closed.

6. We only hope and trust that the Settlement Officer, uninfluenced by any of the observations found in this judgment, shall deal with the claim for grant of ryotwari patta entirely on its own merits and strictly in accordance with law by assigning proper reasons for his conclusion drawn either way.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rs  
To

- 1.The Secretary to Government of Tamil Nadu,  
Revenue Department,  
Fort.St.George, Chennai-9.
  - 2.The Settlement Officer &  
District Revenue Officer, Gudalur Janman  
Lands, Gudalur, The Nilgiris District.
  - 3.The District Collector, Collectorate,  
Udhagamandalam, The Nilgiris.
  - 4.The Disrict Revenue Officer,  
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The Nilgiris.
  - 5.The District Forest Officer,  
Gudalur, The Nilgiris.
  - 6.The Revenue Divisional Officer,  
Gudalur, The Nilgiris.
- +3 ccs to M/s.Sathish Parasaran Advocate sr 47454

WA.No.767 of 2017 &  
CMP.No.10527 of 2017

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