

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.Nos.8325 to 8328 of 2018

and W.M.P.Nos.10296 to 10299 of 2018

M/s.Tea Estates India Limited
A Company incorporated under
the Indian Companies Act,
having its Registered Office at
No.10 Damu Nagar,
Coimbatore - 641 045
rep by its Authorized Signatory
Antony George Gonslaves

... Petitioner in
W.P.No.8325/2018

Harrisons Malayalam Limited
having its Registered Office at
P.O.Box No.502, Bristow Road,
Wellington Island, Cochin - 682 001.
rep by its Authorized Signatory
Sumith Babu

... Petitioner in
W.P.No.8326/2018

M/s.Woodbriar Estate Limited,
Devarshola Post, Gudalur Taluk,
The Nilgiris - 643 207
A Public Limited Company
having its Registered Office at
No.10 Damu Nagar,
Coimbatore - 641 045
rep by its Authorized Signatory
Antony George Gonslaves

... Petitioner in
W.P.No.8327/2018

M/s.Thiashola Plantations Private Limited
A Company incorporated under the
Indian Companies Act, 1956
having its Registered Office at Needari,
Thaishola Post, Kundah - 643 219
Nilgiris District
rep by its Authorized Signatory
A.Soosai Arulappan

... Petitioner in
W.P.No.8328/2018

Vs.

1.The Settlement Officer,
Gudalur Janmam Lands,
Udhagamandalam,
The Nilgiris District - 643 212.

2.The Tahsildar, Gudalur,
Nilgris District - 643 212.

3.The District Forest Officer,
Gudalur Division, 11/274,
Kozhikode Salai, Gudalur,
Nilgris District - 643 212.

4.The Joint Receivers,
Nilambur Kovilagam,
Nilambur, Malappuram Dt,
Kerala - 679 330.

5.M/s.Raja Chikku Deva Royal
No.4, FTI Colony,
Near Water Tank, Nandhini Layout,
Bangalore - 560 096.

6.Sri Kadambam Namboodripad,
Naduvathumama, Wandoor Post,
Malappuram Dt, Kerala - 679 328.

7.Sri Subramanian Namboodripad,
Naduvathumama, Wandoor Post,
Malappuram Dt, Kerala - 679 328.

8.The State of Tamil Nadu,
Rep by Collector of Nilgiris,
District Collectorate, Near Charing Cross,
Udhagamandalam,
The Nilgiris District - 643 001.

Sri Raja Chikku Deva Royal (Deceased)

Sri Raja Surrendra Deva Royal (Deceased)

Smt Rajarajeshwari Devi (Deceased)

... Respondents in

W.P.Nos.8325 & 8328/2018

1.The Settlement Officer,
Gudalur Janmam Lands,
Udhagamandalam,
The Nilgiris District - 643 212.

2.The Tahsildar, Gudalur,
Nilgris District - 643 212.

3.The District Forest Officer,
Gudalur Division, 11/274,
Kozhikode Salai, Gudalur,
Nilgris District - 643 212.

4.The Joint Receivers,
Nilambur Kovilagam,
Nilambur, Malappuram Dt,
Kerala - 679 330.

5.The State of Tamil Nadu,
Rep by Collector of Nilgiris,
District Collectorate, Near Charing Cross,
Udhagamandalam,
The Nilgiris District - 643 001.

Sri Raja Chikku Deva Royal (Deceased)
Sri Raja Surrendra Deva Royal (Deceased)
Smt Rajarajeshwari Devi (Deceased) ... Respondents in
W.P.No.8326/2018

1.The Settlement Officer,
Gudalur Janmam Lands,
Udhagamandalam,
The Nilgiris District - 643 212.

2.The Tahsildar, Gudalur,
Nilgris District - 643 212.

3.The Tahsildar, Pandalur Taluk,
The Nilgris - 643 233.

4.The District Forest Officer,
Gudalur Division, 11/274,
Kozhikode Salai, Gudalur,
Nilgris District - 643 212.

5.The Joint Receivers,
Nilambur Kovilagam,
Nilambur, Malappuram Dt,
Kerala - 679 330.

6.M/s.Raja Surrendra Deva Royal
No.4, FTI Colony,
Near Water Tank, Nandhini Layout,
Bangalore - 560 096.

7.The State of Tamil Nadu,
Rep by Collector of Nilgiris,
District Collectorate, Near Charing Cross,
Udhagamandalam,
The Nilgiris District - 643 001.

Sri Raja Chikku Deva Royal (Deceased)
Sri Raja Surrendra Deva Royal (Deceased)
Smt Rajarajeshwari Devi (Deceased) ... Respondents in
W.P.No.8327/2018

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the 1st respondent from passing any final orders in Rc.V.Nos.192, 191, 193 & 192/2017 pending before the Settlement Officer, Gudalur Janmam Lands, Udhagamandalam, The Nilgiris District, without giving reasonable opportunity to the petitioner to place all material records and make oral and written submissions.

For Petitioners : Mr.P.Chandra Sekaran for
M/s.V.SankaraNarayanan
(in all 4 W.Ps)

For Respondents : Mr.M.Santhanaraman,
Additional Government Pleader
(R1 to R3, R8 - W.P.Nos.8325, 8328 of 2018;
R1 to R3, R5 - W.P.No.8326 of 2018 ;
R1 to R4, R7 - W.P.No.8327 of 2018)
C O M M O N O R D E R

These Writ Petitions have been filed seeking for issuance of Writs of Mandamus forbearing the 1st respondent from passing any final orders in Rc.V.Nos.192, 191, 193 & 192/2017 pending before the Settlement Officer, Gudalur Janmam Lands, Udhagamandalam, The Nilgiris District, without giving reasonable opportunity to the petitioner to place all material records and make oral and written submissions.

2.Mr.M.Santhanaraman, learned Additional Government Pleader taking notice for the official respondents has fairly submitted

that only in view of the direction issued by the Apex Court to dispose of all the matters expeditiously, the Settlement Officer has advanced the hearing of the matters from 17.04.2018 to 03.04.2018. Hence, notice could not be sent to the parties informing them to appear for the advanced hearing on 03.04.2018. The Writ Petitions have been filed making certain allegations against the 1st respondent, as though he is an interested party in the matter.

3.The only grievance of the petitioners is that they have not been heard, which is wholly untenable.

4.The learned Additional Government Pleader, on instruction from the Settlement Officer, who is present in the Court, has submitted that the petitioners will be heard on 24.04.2018 at 10.00 am and thereafter, final orders will be passed.

5.The learned counsel appearing for the petitioners agreeing to the submission made by the learned Additional Government Pleader, has submitted that the Writ Petitions may be disposed of. The learned counsel for the petitioners also sought permission to place on record additional documents available with the petitioners.

6.This Court grants one week time from today for the petitioners to place on record the documents before the 1st respondent. On receipt of the same, the 1st respondent shall hear the petitioners on 24.04.2018 at 10.00 am, consider all the documents to be produced by them and pass appropriate orders in accordance with law.

7.With the above directions, the Writ Petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

To

1.The Settlement Officer,
Gudalur Janmam Lands,
Udhagamandalam,
The Nilgiris District - 643 212.

2.The Tahsildar, Gudalur,
Nilgris District - 643 212.

3.The District Forest Officer,
Gudalur Division, 11/274,
Kozhikode Salai, Gudalur,
Nilgris District - 643 212.

4.The Joint Receivers,
Nilambur Kovilagam,
Nilambur, Malappuram Dt,
Kerala - 679 330.

5.The Collector of Nilgiris,
State of Tamil Nadu,
District Collectorate, Near Charing Cross,
Udhagamandalam,
The Nilgiris District - 643 001.

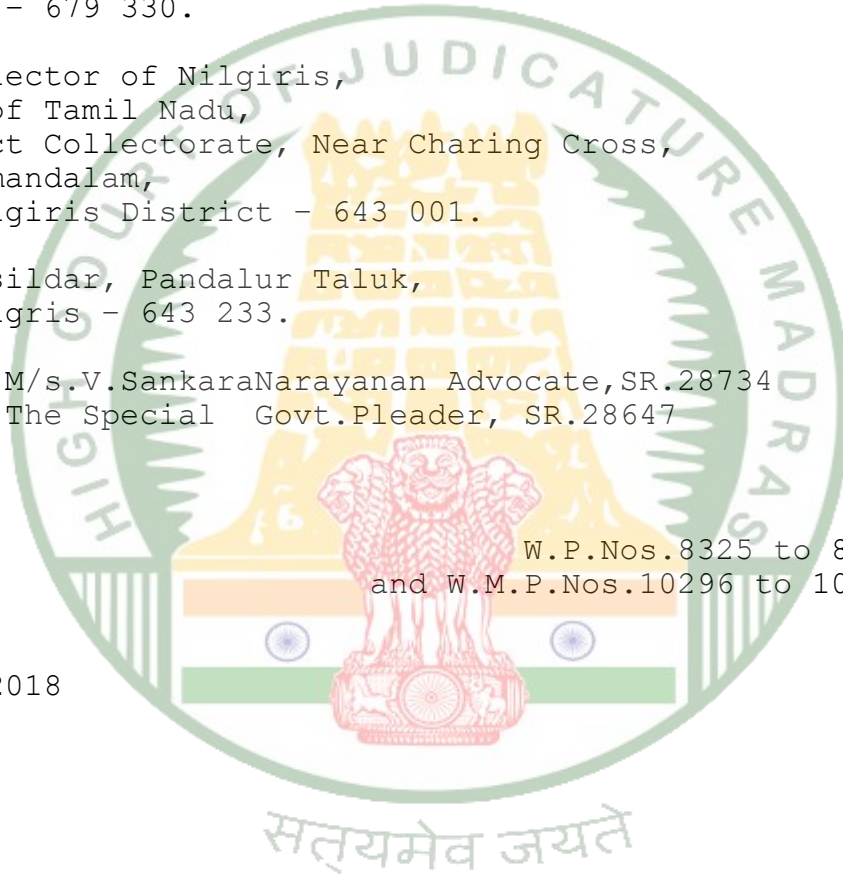
6.The Tahsildar, Pandalur Taluk,
The Nilgris - 643 233.

+ 1 cc to M/s.V.SankaraNarayanan Advocate,SR.28734

+ 1 cc to The Special Govt.Pleader, SR.28647

W.P.Nos.8325 to 8328 of 2018
and W.M.P.Nos.10296 to 10299 of 2018

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nr 19/04/2018



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