



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.06.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.12001 of 2019
& W.M.P.No.12258 of 2019

C.Rajendran

...Petitioner

Vs

1.The District Collector,
District Collector Office,
The Nilgiris District,
Udhagamandalam.

2.The Revenue Divisional Officer,
Gudalur,
The Nilgiris District-643 212.

3.The Chief Conservator of Forests and
The Field Director, Project Tiger,
The Tiger Conservation Authority,
Mudhumalai Tiger Reserve,
Udhagamandalam,
The Nilgiris District.

4.The Deputy Director,
Project Tiger,
The Tiger Conservation Authority,
Mudhumalai Tiger Reserve,
Udhagamandalam,
The Nilgiris District.

5.The Tahsildar,
Gudalur Taluk,
The Nilgiris District.

...

Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent in pursuance of the order vide Ref.No.448/2019 dated 05.02.2019 and quash the same and consequently direct the respondents to pay the compensation of Rs.10,00,000/- to the petitioner for the Relocation programme for implementing Tiger Project, within a period as stipulated.



WEB COPY

For petitioner : Ms.Neethimozhi.C

For R1 ,R2 & R5 : Mr.N.Inbanathan
Additional Government Pleader

For R3 & R4 : Mr.G.B.Rajesh

ORDER

The petitioner herein claiming as a member of the family, which was re-located for the Mudhumalai Tiger Reserve Forest claims compensation as per the scheme called as NTCA Relocation programme under option-1 (Golden Hand Shake).

2. The case of the petitioner is that, since he has crossed the age of 18 years, he should be considered as separate entity and he must be awarded compensation of Rs.10,00,000/- for relocation as per the relocation programme. However, his request to the fourth respondent dated 15.03.2019, so far not been considered by the District Collector, Udhagamandalam.

3. In response to the writ affidavit, the Additional Principal Chief Conservator of Forest and Field Director has submitted a report wherein, he has stated as below:-

"The eligible families and valuation of assets were finalized by a Sub-Committee involving the village members and officials of the line departments and finally approved by the DLC with reference to cut-off date as on 01.01.2014."

4. From the report, it is obviously clear that any person who is entitled for compensation, they can make proper application to the authority and the application submitted by the claimants will be placed before the Sub Committee. The Sub Committee will scrutinize the application and thereafter pass order and any order passed by the Sub Committee is appealable before the Appellate Authority. In the present case, the writ petitioner straight a way approached this Court after making the representation dated 15.03.2019. In the representation addressed to the District Collector, the petitioner has not enclosed documents, which are relevant to process his application.

5. In such circumstances, the writ petition is dismissed with liberty to the petitioner to approach the Sub Committee with all the evidence available with him, which will entitle him as per compensation scheme. On receipt of such application, the Sub Committee



shall process in accordance with law and pass appropriate orders. No costs. Consequently, the connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar(insp cell)

//True Copy//

Sub Assistant Registrar

rpl

To

- 1.The District Collector,
District Collector Office,
The Nilgiris District,
Udhagamandalam.
- 2.The Revenue Divisional Officer,
Gudalur,
The Nilgiris District-643 212.
- 3.The Chief Conservator of Forests and
The Field Director, Project Tiger,
The Tiger Conservation Authority,
Mudhumalai Tiger Reserve,
Udhagamandalam,
The Nilgiris District.
- 4.The Deputy Director,
Project Tiger,
The Tiger Conservation Authority,
Mudhumalai Tiger Reserve,
Udhagamandalam,
The Nilgiris District.
- 5.The Tahsildar,
Gudalur Taluk,
The Nilgiris District.

+1 cc to Government Pleader Sr.No. 54276
+1cc to Mr.C.Neethi Mozhi , Advocate SR.No. 53610

Writ Petition No.12001 of 2019
& W.M.P.No.12258 of 2019

A.SK(13/08/2019)