



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.13100 OF 2012

AND

M.P.NO.1 OF 2012

Nilgiris Distilleries Agro Products Ltd.
Represented by its Director Harjit Singh Mehta,
Rita Buildings,
Coonoor, The Nilgiris.

... Petitioner

Vs.

1. The State of Tamil Nadu,
represented by the Secretary,
Revenue (LD1(2)) Department,
Fort St.George,
Chennai - 600 009.
2. The Special Commissioner &
Commissioner for Land Administration,
Chetpet,
Chennai - 600 005.
3. The Collector,
Nilgiris District,
Ootacamund.
4. The Tahsildar,
Kotagiri Taluk.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records with reference to the order dated 14.03.2012 bearing No.G.O.Ms.No.89 passed by the 1st respondent and quash the same and direct the respondents to assign the lands comprised in S.Nos.1008/1 and 1008/2, Kotagiri Village, The Nilgiris to the petitioner Company.

For Petitioner : Mr.S.Mukunth
for M/s.Sarvabhauman Associates

For Respondents : Mr.K.M.D.Muhilan
Government Adovacate

O R D E R

The writ petition on hand is filed challenging the order passed by the 1st respondent in G.O.Ms.No.89, Revenue (LD1(2)) Department, dated 14.03.2012.

2.The impugned Government Order is the cancellation of assignment granted initially in favour of the petitioner assigning 8.00 acres of land in S.No.1008/1 and 1008/2 in Kotagiri Village, Coonur Taluk, The Nilgiris District, for cultivation of tea leaves. The impugned order itself states that the Government considered the facts and circumstances and also oral submissions made by the petitioner and arrived a conclusion that there is no case for further continuance, since there was no operation by the petitioner company till the date on which the impugned order was passed and the company became defunct and is not in use since 2000 and there are no tea plants, only two dilapidated buildings with the size and dimension of 70 x 30 and 30 x 15 are existing and 35 Eucalyptus trees are present in the above said subject land and no plant or machinery is present.

3.In view of the fact that there is no further improvement in respect of the facts recorded by the Government in its order, this Court is not inclined to consider the claims set out in the writ petition. Accordingly, the writ petition



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stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

mkn

To

1. The Secretary,
State of Tamil Nadu,
Revenue (LD1(2)) Department,
Fort St.George,
Chennai - 600 009.
2. The Special Commissioner &
Commissioner for Land Administration,
Chetpet,
Chennai - 600 005.
3. The Collector,
Nilgiris District,
Ootacamund.
4. The Tahsildar,
Kotagiri Taluk,
Nilgiris District.

+1cc to M/s.Sarvabhauman Associates, Advocate, S.R.No.55605

+1cc to the Government Pleader, S.R.No.55881

W.P.No.13100 of 2012

GSM(CO)
RLP(17/11/2021)