



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.12.2021

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD)No.2255 of 2021

K.Pushpavanam

... Petitioner

Vs.

- 1.Union of India, represented by,
The Principal Secretary to the Government,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhavan,
Jarbagh Road,
New Delhi - 110003.
- 2.The Principal Secretary to Government,
Environment and Forests Ministry,
State of Tamilnadu,
Fort St. George,
Chennai - 600009.
- 3.The Principal Chief Conservator of Forest/Chief Wildlife Warden,
Office of the Principal Chief Conservator of Forest/Chief
Wildlife Warden,
Panagal Maligai,
1, Jeenis Road, Saidapet,
Chennai - 600015.
- 4.The Additional Chief Conservator of Forest,
Madurai Circle,
Race Course Road,
Madurai 625 002.
- 5.The District Forest Officer,
Karur Division,
148/2, Navaladiyan Complex,
Dindigul Main Road, Thanthontri Post,
Karur 639 00.



6.The District Forest Officer,
Dindigul Division,
Velunachiyar Complex,
Dindigul - 624 004.

7.The District Forest Officer,
Trichy Division,
Court Campus,
Candonment Compound,Trichy - 620 001.

8.The District Collector,
Office of the District Collector,
Karur District,
Pincode - 639 007.

9.The District Collector,
Office of the District Collector,
Dindigul District, Pin Code - 624 004.

10.The District Collector,
Officer of the District Collector,
Trichy District,
Pincode - 620 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to declare the habitats of the 'Slender Loris' (Thevangu) in the Kadavur Hills in Karur District, Ayyalur Forests in Dindigul District and the habitats of Slender Loris in the Trichy District and in other Districts of State of Tamilnadu as a 'Sanctuary' under Section 18 of the Wildlife (Protection) Act, 1972 or as a 'Community Reserve' under Sections 36A of the Wildlife (Protection) Act, 1972 or as a 'Conservation Reserve' under Section 36C of the Wildlife (Protection) Act, 1972 or to declare as a 'Biodiversity Heritage Site' under Section 37 of Bio Diversity Act, 2002 in accordance with law within a stipulated time.

For Petitioner :Mr.R.Alagumani,

For R-1 :Mrs.L.Victoria Gowri,
Assistant Solicitor General of India

For R-2 to R-10 :Mr.P.Thilak kumar,
Government Pleader

**ORDER**

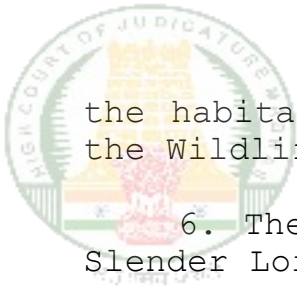
(Order of the Court was made by **PUSHPA SATHYANARAYANA, J.**)

The petitioner is seeking a direction for protection of Slender Loris.

2. Though 'Slender Loris' is an endangered category, they are listed under Schedule I of the Wildlife (Protection) Act, 1972. When the matter was taken up in the last occasion, the respondents were directed to file action taken report and the action to be taken for the protection of Slender Loris.

3. Status Report has been filed by the District Forest Officer, Karur Forest Division, stating that as far as the Trichirappalli District is concerned, Slender Loris, has not been sighted in the reserved forest area of Trichy, Pudukottai, Ariyalur and Perambalur Divisions. They may be present in very small numbers in Pullivalam, Narthamalai and Sevilimalai Reserved Forests and no authentic data is available. Though it is stated that the Forest Department along with various NGOs, involved in creating awareness among public for preservation of said species, the Government of Tamil Nadu has not taken any steps for the same. The Status Report further states that the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai, has granted permission to Salim Ali Centre for Ornithology, Anaikatti Coimbatore, to carry out study on "Comparative Ecology and Behaviour of Slender Loris in Dindigul / Madurai Landscape" in Madurai, Dindigul, Trichy, Karur, Sivagangai and Pudukottai Forest Division, for a period of two years. It is further stated that the School of Natural Sciences and Engineering at National Institute of Advanced Studies Bengaluru, proposed to take up a research study for the period from October 2022 - July 2024. Though the outcome would be helpful for the conservation reserve for Slender Loris in long-term management, the report is silent about how many Slender Loris are available as on date and the details about the census taken are all not been stated. Nothing is also stated in the status report about the efforts taken by the Government of Tamil Nadu to save the Slender Loris which may shortly become extinct as they are hunted for certain medicinal purposes.

4. Therefore, we are of the view that the Principal Chief Conservator of Forests, the third respondent herein, is to be directed to take effective steps for the study on the Habitats, distribution and also future management of Slender Loris in the Ayyalur Forests in Dindigul District and Kadavur Hills in Karur District and in Trichy District, which are located in Eastern Ghats and only a chain of small hills and forested highlands. The Government of Tamil Nadu cannot have a difficulty in taking census of Slender Loris in these areas. Once it is enumerated, the respondents can declare the habitats of Slender Loris in Kadavur Hills in Karur District, Ayyalur Forests in Dindigul District and



the habitats in Trichy District as 'Sanctuary' under Section 18 of the Wildlife (Protection) Act, 1972 .

6. The third respondent is also directed to take the census of Slender Loris and file a yet another report to this Court.

7. With the above direction, the writ petition is disposed of. No Costs.

8. Post the matter on **07.03.2022** 'for reporting compliance'.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

- 1.The Principal Secretary to the Government,
Union of India,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhavan,
Jarbagh Road,
New Delhi - 110003.
- 2.The Principal Secretary to Government,
Environment and Forests Ministry,
State of Tamilnadu,
Fort St. George,
Chennai - 600009.
- 3.The Principal Chief Conservator of Forest/Chief Wildlife Warden,
Office of the Principal Chief Conservator of Forest/Chief
Wildlife Warden,
Panagal Maligai,
1, Jeenis Road, Saidapet,
Chennai - 600015.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Additional Chief Conservator of Forest,
Madurai Circle,
Race Course Road,
Madurai 625 002.

5.The District Forest Officer,
Karur Division,
148/2, Navaladiyan Complex,
Dindigul Main Road, Thanthontri Post,
Karur 639 00.

6.The District Forest Officer,
Dindigul Division,
Velunachiyar Complex,
Dindigul - 624 004.

7.The District Forest Officer,
Trichy Division,
Court Campus,
Candonment Compound,
Trichy - 620 001.

8.The District Collector,
Office of the District Collector,
Karur District,
Pincode - 639 007.

9.The District Collector,
Office of the District Collector,
Dindigul District, Pin Code - 624 004.

10.The District Collector,
Officer of the District Collector,
Trichy District,
Pincode - 620 001.

11.The Section Officer,
Writ Section, Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SPL GP (SR-37776[F] dated 08/12/2021)

W.P(MD)No.2255 of 2021
07.12.2021

MGJ(23.12.2021) 5P 13C