



W.P. No. 1903 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 1903 of 2019

K.K.Chandran

... Petitioner

-VS-

1. The Union of India,
Represented by its Secretary,
Ministry of Environment and Forests Wildlife Division,
Paryavaran Bhavan,
CGO Complex,
New Delhi – 110 003.
2. The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of Environment and Forests,
Fort St. George,
Chennai – 600 009.
3. The Member Secretary,
National Tiger Conservation Authority,
Annex No. 5, Bikaner House,
Shahjahan Road,
New Delhi – 110 001.
4. The Principal Chief Conservator of Forests-Wildlife Division,
Panagal Maligai,
Saidapet,
Chennai.
5. The District Collector,
Udhagamandalam,
Nilgiris District.



W.P. No. 1903 of 2019

6. The Chief Conservator of Forest & the Field Director,
Project Tiger,
Tiger Conservation Authority,
Mudumalai Tiger Reserve,
Udhagamandalam,
Nilgiris District.

7. The Settlement Officer and District Revenue Officer,
Gudalur Janmam Lands,
Gudalur,
Nilgiris District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Fifth Respondent to survey and evaluate the standing trees and crops planted in S.F. No. 25/5, 25/8 and 25/3 at Nelakottai Village consequently award its value as compensation to the Petitioner within a reasonable time by considering the representation of the Petitioner herein dated 22.12.2017.

For Petitioner : Mr. R.Nalliyappan

For Respondents : Mr. T.Arun Kumar,
Additional Government Pleader

ORDER

Heard Mr. R.Nalliyappan, Learned Counsel for the Petitioner and Mr. T.Arun Kumar, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.



W.P. No. 1903 of 2019

WEB COPY

2. The Writ Petition has been filed for directing the Fifth Respondent to survey and evaluate the standing trees and crops planted in S.F. Nos. 25/5, 25/8 and 25/3 in Nelakottai Village, Gudalur Taluk, The Nilgiris District and to consequently award its value as compensation to the Petitioner within a reasonable time by considering the representation dated 22.12.2017 made by the Petitioner.

3. In furtherance to the order passed on 27.10.2022 by the Court, the Respondents have filed a memo dated 22.11.2022 stating as follows:-

“1. It is submitted that as per direction of the Hon'ble Court, evaluation of crops and trees submitted as follows under the rehabilitation scheme applicable to the Writ Petitioner by the Committee constituted. It is submitted that earlier Rs. 3,49,695/- assessed and now as per reassessment Rs. 9,20,500/- tentatively arrived. New proposal will be placed before the sub-committee meeting schedule to be held on 28.11.2022. the sub-committee may recommend with its reason assigned to Government. Thereafter the Government will pass appropriate order for release fund under the applicable scheme.”



W.P. No. 1903 of 2019

In view of the aforesaid action taken, nothing remains for further consideration in

the Writ Petition, but if the Petitioner still has any other grievance to be redressed in the matter, he is not precluded from working out his rights before the proper forum in the manner recognized by law.

4. In fine, the Writ Petition is disposed with the aforesaid observations. No costs.

23.11.2022

vjt

Index: Yes/No

Note: Issue order copy by 04.01.2023.

To

1. The Secretary to Government of India,
Ministry of Environment and Forests Wildlife Division,
Paryavaran Bhavan,
CGO Complex,
New Delhi – 110 003.
2. The Secretary to Government of Tamil Nadu,
Department of Environment and Forests,
Fort St. George,
Chennai – 600 009.
3. The Member Secretary,
National Tiger Conservation Authority,
Annex No. 5, Bikaner House,
Shahjahan Road,
New Delhi – 110 001.



W.P. No. 1903 of 2019

4. The Principal Chief Conservator of Forests-Wildlife Division,
Panagal Maligai,
Saidapet,
Chennai.
5. The District Collector,
Udhagamandalam,
Nilgiris District.
6. The Chief Conservator of Forest & the Field Director,
Project Tiger,
Tiger Conservation Authority,
Mudumalai Tiger Reserve,
Udhagamandalam,
Nilgiris District.
7. The Settlement Officer and District Revenue Officer,
Gudalur Janmam Lands,
Gudalur,
Nilgiris District.



WEB COPY



W.P. No. 1903 of 2019

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 1903 of 2019

23.11.2022