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W.P.No.31675 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31675 of 2015

Craigmore Plantations (India) Private Limited,
Kullakamby PO,
The Nilgiris – 643 218,
Tamil Nadu.
Represented by its Deputy General Manager,
Mr.P.K.Manoj

...Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Chief Secretary,
Fort St.George,
Chennai.
- 2.Government of Tamilnadu,
Rep.by its Secretary to Government,
Home Department,
Fort St.George,
Chennai.
- 3.Government of Tamilnadu,
Rep.by its Secretary to Government,
Revenue Department,
Fort St.George,
Chennai.
- 4.The Revenue Divisional Officer,
Coonoor, Nilgiris District.



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5.The District Collector,
The Nilgiris District,
Udhagamandalam.

6.The Tahsildar,
Coonoor Taluk,
Coonoor, The Nilgiris District.

7.Deputy Superintendent of Police,
Coonoor, Nilgiris District.

8.Inspector of Police,
Kullakamby Post,
Conoor, Nilgiris District.

9.Smt.Shivakumari,
Tahsildar,
Coonoor Taluk,
Nilgiris District.

10.Sri.Palani Kumar,
Revenue Divisional Officer,
Coonoor, Nilgiris District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay compensation of Rs.61,52,106/- (Sixty one Lakhs fifty two thousand one hundred and six rupees) for the loss incurred by the petitioner and consequently take action on the authorities responsible for the above violations of fundamental rights under the Constitution of India.



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For Petitioner : Mr.C.Vigneswaran
For R1 to R8 : Mr.P.Kumaresan
Additional Advocate General
Assisted by
Mr.T.Arunkumar
Additional Government Pleader
For R9 and R10 : No appearance

ORDER

The writ petition has been filed to direct the respondents to pay compensation of Rs.61,52,106/- (Sixty one Lakh fifty two thousand one hundred and six rupees) for the loss incurred by the petitioner and consequently take action on the authorities responsible for the violations of Fundamental Rights under the Constitution of India.

2. The grievances of the writ petitioner company is that they were prevented from using the road for the purpose of conducting their activities.

3. It is not in dispute that as of now, ingress and egress are provided to the writ petitioner company pursuant to the interim order granted by this Court. The water connections were disconnected and that was also restored based on the interim order.



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4. The learned Additional Advocate General appearing on behalf of the respondents R1 to R8/'State' brought to the notice of this Court that several allegations were raised against the petitioner company and the enquiry has been completed.

5. Thus, it is for the 'State' to take a decision on merits and in accordance with law.

6. As far as the writ petitioner company is concerned, if any violation or otherwise is proved, the petitioner is at liberty to approach the competent Civil Forum for appropriate remedy.

7. With this liberty, the writ petition stands disposed of. No costs.

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Index : Yes
Speaking order
Neutral Citation: Yes
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To

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S.M.SUBRAMANIAM, J.

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