



W.P.(MD)No.3960 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

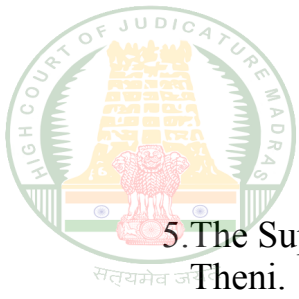
W.P.(MD)No.3960 of 2019

A.Radhakrishnan

... Petitioner

Vs.

- 1.The Secretary,
Ministry of Environment and Forests,
Government of India,
New Delhi.
- 2.The Secretary to Government,
Environment and Forest Department,
Secretariat,
Chennai-600 009.
- 3.The Principal Chief Conservator of Forests &
Head of the Department,
Saidapet,
Chennai-600 015.
- 4.The District Collector,
Theni.



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5.The Superintendent of Police,
Theni.

6.The Additional Principal Chief Conservator of Forests,
Madurai.

7.The Wildlife Warden,
Mehamalai Wildlife Sanctuary,
Theni.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 7th respondent to lay mud road in the forests under his control by considering petitioner's representation dated 24.08.2016 as well as on the basis of Joint minutes of meeting dated 02.09.2016, 20.01.2017 & 19.05.2017.

For Petitioner	: No appearance
For R1	: Mr.Karunanidhi
For R2 to R7	: Mr.P.Thilak Kumar
	Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ of Mandamus has been instituted to direct the 7th respondent to lay mud road in the forests under his control by considering petitioner's representation dated 24.08.2016 as well as on the basis of Joint minutes of meeting dated 02.09.2016, 20.01.2017 & 19.05.2017.

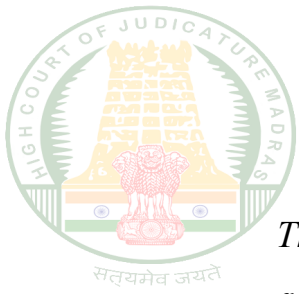


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2. The seventh respondent/Wildlife Warden has filed a counter affidavit stating that the subject area is declared as Reserved Forests. In this regard, paragraph - 8 of the counter affidavit reads as under:-

"8. Regarding averments made by the petitioner in Para-9 it is to respectfully submit that in Theni District there are two forests divisions namely Megamalai Wildlife Division and Theni Division. I submit that the Megamalai Wildlife division spread over an area of 626.45 sq.km consists of 6 Ranges namely Gudalur, Cumbum East, Chinnamanur, Gandamanur, Varusanadu and Megamalai and all Ranges of Megamalai Wildlife Division are well connected with roads and writ petition seeking to lay mud road inside the forest is not all necessary at present. Any development activities inside the Megamalai Wildlife Division need concurrence of National Board for Wildlife which is chaired by the Prime Minister of India under Wildlife Protection Act 1972. This division is located in the Western Ghats, which is one of the important biodiversity hot spots. It is very fragile zone and any road development works will lead to destruction of fragile eco systems and may cause landslides etc., Paliyankudi is tribal settlement village located inside Megamalai Reserved Forest of Gudalur Range in Megamalai Wildlife Division, Theni District.



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This village is well connected with road and consideration of agenda of joint minutes of meeting convened by the fourth respondent to lay mud road is not necessary and it will amount to violation of Wildlife Protection Act, 1972; Tamil Nadu Forest Act, 1882 and Forest (Conservation) Act, 1980. "

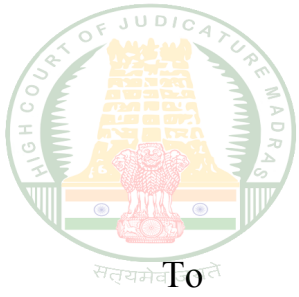
3. When the subject area located in Reserved Forests the relief as such sought for to direct the seventh respondent to lay a mud road cannot be granted.

Thus, the writ petition is dismissed. No costs.

(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025

NCC : Yes / No
Index : Yes / No

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