



W.P.No.15120 of 2019

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and

WEB COPY W.M.P.Nos.15112 of 2019, 31696 of 2023 & 8422 of 2024

N. SATHISH KUMAR, J.

AND

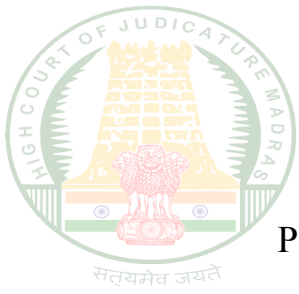
D. BHARATHA CHAKRAVARTHY, J.

W.M.P.No.31696 of 2023 in W.P.No.15120 of 2019:

Revetment:

Even though a letter in Lr.No.Court Case/2019/AE/NH, dated 19.03.2024 addressed to the Special Government Pleader, Madras High Court by the Divisional Engineer, National Highways, Gobichettipalayam, is placed on record by Mr.T.Srinivasan, the learned Special Government Pleader (Forests) stating that there is no vertical cuts, Mr.C.Mohan, learned Advocate, who appears in the matter as Amicus Curiae, would point out that that even subsequent to the report, there were vertical cuts and the same have already been pointed out.

2. The learned Special Government Pleader (Forests) would get instructions in this regard and come up with a status report on the next date of hearing. If any vertical cutting made already is found without revetment, steps can also be taken immediately to fortify the same with revetment.



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Post on 07.06.2024. The Registry is directed to print the name of the

learned Advocate Mr.C.Mohan, as Amicus Curiae in the matter.

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Issue relating to Carrying Capacity

Today, a status report of the official respondents is filed.

2. Mr.P.S.Raman, the learned Advocate General, taking this court through the status report would submit that a meeting chaired by the Chief Secretary on 27.03.2024 was convened and in the said meeting it was unanimously agreed that a multi sectoral approach is essential for conducting a thorough study in respect of carrying capacity in the hill stations of The Nilgiris and Kodaikanal.

3. The learned Advocate General further by taking this court through the status report would submit that two reputed institutions namely, Indian Institute of Technology (IIT), Madras and Indian Institute of Management (IIM), Bangalore have been approached to take up the study in respect of carrying capacity in the hill stations of The Nilgiris and Kodaikanal. According to the learned Advocate General, the available data with the District Administration will be utilized for:-



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(a) Assessment of footfall of tourists per day during peak and non-peak seasons.

(b) Assessment of the number of all types of vehicles entering the District during peak and non-peak seasons.

(c) Available accommodation facilities determined from only the facilities that have all legal permits together with parking space to assess whether it is commensurate with the accommodation facilities.

(d) Assess the water availability in the District and determine the water that is available to tourist facilities after accounting for and preserving water resources for local use including agricultural and other needs.

(e) Waste collection and management infrastructure.

(f) Availability and capacity of effluent treatment facilities.

(g) Determine the protected areas and reserve forests in The Nilgiris and carry out separate carrying capacity studies, as areas with forests and wildlife are less tolerant to higher tourists intrusion such a pollution, littering and behavioural changes in animals.

h) List out the popular tourist destinations and calculate the individual physical carrying capacity of



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each location.

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4. The status report is taken on record.

5. The Terms of Reference (ToR) dated 02.04.2024 already submitted by Mr.C.Mohan and Mr.Rahul Balaji, learned Advocate as Amici Curiae in the matter to the learned Advocate General shall also be circulated to the committee and Mr.C.Mohan, Mr.Rahul Balaji, Mr.T.Mohan, Senior Counsel and Mr.M.Santhanaraman shall also be permitted to participate in the next meeting along with the expert body and make their valuable and viable suggestions.

6. Now, we are of the view that conservation of environment and wildlife is of utmost importance in the present day scenario. Taking note of concerns about climate change rise by 3° or 4° Celsius every year, this court is of the opinion that unless some effective measures are taken to protect and improve the existing Forests and Environment and to safeguard the forest and wildlife, the climate change will certainly have a serious impact not only on the present generation but also the generation that follow us.

7. In such view of the matter, the need of the hour is to take some regulatory measures immediately, at least for pollution control and reduction of emission of carbon monoxide to the maximum extent possible in the hill



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stations. For that purpose, we request the State Government, particularly, the District Administration in the Nilgiris and Dindigul to come up with temporary measurements to minimize the number of vehicles entering the hill stations by regulating the traffic during peak season.

Call this matter on 29.04.2024 at 04.30 p.m. The District Collectors of the Nilgiris and Dindigul Districts shall make their appearance through virtual mode on that date.

(N.S.K.,J.) (D.B.C.,J.)
22..04..2024

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