



W.P.No.15120 of 2019

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

WEB COPY

N. SATHISH KUMAR, J.

AND

D. BHARATHA CHAKRAVARTHY, J.

Issue relating to Carrying Capacity

By our order dated 29.04.2024, we had issued certain directions in respect of steps to be taken towards fixation of carrying capacity in respect of Nilgiris and Dindigul District. By our order, in paragraph 12, we had issued ten directions, which read as follows:

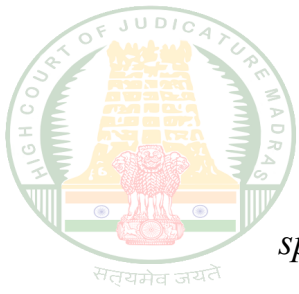
“ (i) they shall develop a system / online form so as to enable all the vehicles visiting the Nilgiris or Kodaikanal, as the case may be, to fill in the above particulars and generate an e-pass and will permit only such of those vehicles which have e-passes;

(ii) the possession of such e-passes can be properly checked at the entry points without fail;

(iii) such system can be developed and implemented with effect from 07.05.2024 and shall be in vogue on a pilot / test basis upto 30.06.2024;

(iv) adequate publicity shall be made for the said system informing the general public on the website/ mobile app which are going to be developed;

(v) advertisements can be issued nation-wide and more



WEB COPY

specifically in the regional newspapers of the neighbouring States viz., Kerala, Karnataka and Andhra Pradesh;

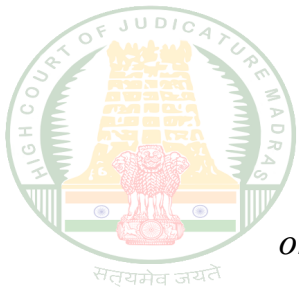
(vi) the authorities can exempt the vehicles of the local residents, commercial vehicles regularly carrying essential commodities and also the vehicles carrying agricultural products by issuing an appropriate notification;

(vii) it is needless to say that e-passes either have to be valid for one entry or if it is for multiple entries then, there must be a provision regarding multiple entries / trips for the same vehicles;

(viii) while developing appropriate software/online form, the authorities can include such other criteria which may be necessary for the purpose of study and or FOR any other purposes;

(ix) the experts engaged by the State Government and Mr.T.Mohan, learned Senior Advocate, Mr.M.Santhanaraman, Mr.Rahul Balaji, Mr.C.Mohan, learned Advocates who appear as Amici Curiae in this matter can also forthwith send their views to the District Collectors intimating as to any particular or facts which need to be included in the forms etc., and the same can also be considered and included;

(x) the appropriate authorities/departments of the Government are directed to render their assistance to the District Administration of the Nilgiris as well as Dindigul District, for developing the software/website, mobile app and



WEB COPY

online application for issuance of e-pass. The submission of Mr.J.Ravindran, the learned Additional Advocate General that the government shall ensure that appropriate authorities will extend all technical assistance to the District Administration of the Nilgiris as well as Dindigul is also recorded.”

2. A status report has been filed in pursuant to the above directions stating that order has been complied and system of E-pass is in vogue both in Nilgiris as well as Dindigul Disticts. It is brought to our notice that so far without any hiccups, E-passes have been issued and the data has been collected. The learned Advocate General submitted that the Government has appointed Nodal Officers for analysis, therefore submitted that even though the above data is available for now, for peak season, i.e., data in respect of following off season will also help the Nodal Officers in properly framing out the scheme. Hence, requests for extension of E-pass system for some time.

3. In view thereof, the orders passed by us which are quoted above shall be extended till 30.09.2024. It is represented that the Nodal Officers have started their primary work and if any other data need to be collected or any other things such as inviting suggestions from the stakeholders and local



WEB COPY

residents to be done shall also be intimated to the concerned Department so that the same shall be simultaneously progressed so as to file a comprehensive policy.

Post on 07.08.2024.

W.P.No.15120 of 2019

4. In respect of collection of PET bottles, the status report suggests that same is being done and it is mentioned in paragraph 7 that all the buses including all the TNSSTC buses are being checked. The respondents are directed to ensure the fact that the checking is conducted regularly in all the buses. It is now mentioned that fine amount of Rs.20/- is imposed per PET bottle in Nilgris District. It is seen that same has not been done as far as the Dindigul District is concerned. Therefore, the District Collector, Dindigul is directed to pass order imposing the same amount of Rs.20/- per PET bottles in respect of violation in Dindigul District also. The respondents are directed to increase the vigil and report the further development by way of filing status report on 07.08.2024. Both District Collectors, Nilgris and Dindigul are also directed to file a status report as to the funds collected by way of Green Tax including the amount collected and how the amounts are defrayed to preserve the nature.



WEB C W.M.P.No.31696 of 2023

5. Today, when the matter came up for hearing, Mr.R.Srinivas, learned Senior Counsel appearing for the petitioner by producing typedset of papers containing the pictures would submit that in respect of injunction order of this Court, vertical cuttings happened even on 15.06.2024 at the tenth bend in Coonur-Mettupalayam Highway. If that is done, same would be directly in violation of the Order of this Court. Therefore, a status report has to be filed by the Department of Highways in the next hearing date. In the meanwhile, as directed in the earlier order dated 01.12.2023, the District Forest Officer, Nilgris shall also independently conduct an inspection and file a report as on the said date.

Post on 05.07.2024.

(N.S.K.,J.) (D.B.C.,J.)
28.06.2024

dhk



WEB COPY



N.SATHISH KUMAR, J.
AND
D.BHARATHA CHAKRAVARTHY, J.

dhk

W.P.No.15120 of 2019
W.M.P.Nos.15112 of 2019,
31696 of 2023 & 8422 of 2024

28.06.2024