



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2025

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**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND**

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 15120 of 2019

AND

WMP NO. 8422 OF 2024, WMP NO. 31696 OF 2023

1. G.Subramania Koushik
S/o.R.Gopal Iyer, No.47, Vijaya Nagar
Place Road, Near Rose Garden, Ooty,
The Nilgiris District 643001.

Petitioner(s)

Vs

1. The Principal Secretary
to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George, chennai 600
009.

2.The District Collector,
The Nilgiris District, Collectorate, Ooty
643001.

3.The Commissioner,
Udhagamandalam Municipality, Oot,
The Nilgiris District.

4.The Commissioner,



Coonoor Municipality, Coonoor, The
Nilgiris District.

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5. The Commissioner,
Gudalur Municipality, Gudalur, The
Nilgiris District.

6. The Commissioner,
Kotagiri Town Panchayath, Kotagiri,
The Nilgiris District.

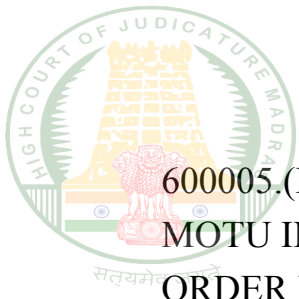
7. The Field Director,
Mudumalai Tiger Reserve, Mount
Stuart Hill, Ooty, The Nilgiris.

8. The District Forest Officer,
The Nilgiris District, Mount Stuart Hill,
Ooty -643001.

9. The Commissioner,
Kodaikanal Municipality, Kodaikanal,
Dindigul District. (R9 SUO MOTU
IMPLEADED VIDE ORDER DT
12.02.2021 MADE IN WP.15120/2019
BY NSKJ)

10. The Principal Secretary To
Government,
Transports Department, Secretariat,
Fort St. George, Chennai - 600009.

11. The Transport Commissioner,
Government of Tamil Nadu,
Commissionerate of Transport and
Road Safety, Ezhilagam, PWD Estate,
Chenpauk, Triplicane, Chennai -



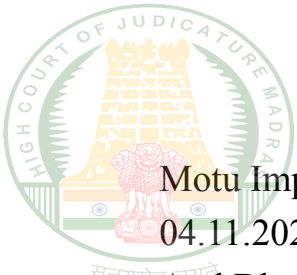
600005.(R10 AND R11 ARE SUO
MOTU IMPEADED AS PER
ORDER DATED 24.11.2022 IN
WP.15120/2019 BY NSKJ AND DBCJ)

12.Shantha Thiagarajan,
Late Shri.D.Thiagarajan, No.201-B,
THIAGS Missionary Hill,
Udhagamandalam, The Nilgiris
643002. (R12 IMPEADED VIDE
ORDER DT 16.03.2023 MADE IN
WMP.8577/2023 IN WP.15120/2019
BY NSKJ, DBCJ)

13.The Principal Secretary,
Department Of Municipal
Administration, Urban And Water
Supply, Government Of Tamil Nadu,
Secretariat, Fort St. George,
Chennai.600 009.

14.The Additional Chief Secretary,
Department Of Tourism, Culture And
Religious Endowments Department,
Government Of Tamil Nadu,
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19.03.2024 In Wp.15120/2019 By Nskj
And Dbcj)

15.The Secretary To The Ministry Of
Road Transport And Highways,
Transport Bhawan, No.1, Parliament
Street, New Delhi.110 001. (r15- Suo



Motu Impleaded As Per Order Dated
04.11.2024 In Wp.15120/2019 By Nskj
And Dbcj)

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Respondent(s)

WMP No. 8422 of 2024

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9.The Commissioner,
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10.The Principal Secretary To
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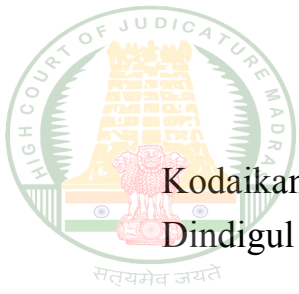
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Respondent(s)

WP No. 15120 of 2019

For Petitioner(s): Mr.T.V.Suresh Kumar
M/s Genicon & Associates
For Respondent(s): Dr.T.Seenivasan
Spl.GP for RR1,2,7, 8, 10, 11,
13, 14
Mrs.A.Sri Jeyanthi For R4
Mr.R.Srinivas, SC
for Mr.K.Madhan for R12
Mr.V.Chandrasekaran, SPC
for R15
M/s.T.Mohan Senior Counsel
AND
Mr.M.Santhanaraman
Amicus Curiae
Mr.C.Mohan, Amicus Curiae
Mr.Rahul Balaji, Amicus Curiae



ORDER

WEB C W.M.P.No.8422 of 2024:

(E-Pass / Carrying Capacity)

Regarding the fixing of minimum carrying capacity, pending the study that is being conducted, the learned Special Government Pleader submits that the learned Advocate General is appearing in this matter and requests some time.

2. On the request of the learned Special Government Pleader, post the matter on 13.03.2025.

W.M.P.No.31696 of 2023:

(Vertical cutting)

With reference to the issue of vertical cutting, it was brought to the notice of this Court by the learned Senior Counsel appearing on behalf of the petitioner in W.M.P.No.31696 of 2023 that a status report is filed by the Divisional Engineer (H), Construction & Maintenance, Udhagamandalam.

2. Mr.C.Mohan, the learned Amicus Curiae has also visited the spot and has filed a report. It is stated that it is not vertical cutting which is happening,

but they are implementing geogrid soil nailing with geotextile for slope



stabilization in the identified spots. The same is done for increasing stability and reshaping in optimal angle. It is stated that steel reinforcing bars are drilled, inserted and grouted to secure the soil. Biodegradable geotextiles are applied to prevent erosion and support vegetation growth, enhancing long term stability. It is further stated that on the Ooty – Kothagiri Mettupalayam road, soil nailing has been completed for over 40 meters and the work has to be completed for the remaining 30 meters.

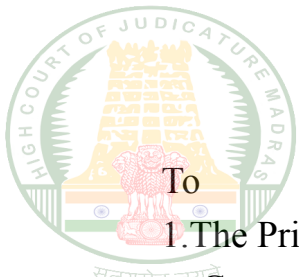
3. The Divisional Engineer also confirmed the same. The other proposals for formation of alternate road is also mentioned in the status report of the Divisional Engineer.

4. It is also stated that steps are being taken to survey and remove the encroachments with the help of the District Administration in the National Highways in Ooty Town stretch. The same are recorded.

5. List this matter for further reports if any on 08.04.2025.

(N.S.K., J.) (D.B.C., J.)
04-03-2025

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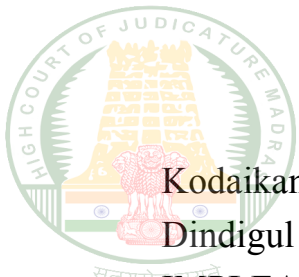
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