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W.P.No.15120 of 2019
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2026

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

[Through Video Conferencing]

W.P.No.15120 of 2019
and
W.M.P.Nos.15112 of 2019 and 8422 of 2024

W.P.No.15120 of 2019

G.Subramania Koushik

... Petitioner (s)

Vs.

1. The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat,
Fort St. George,
Chennai - 600 009 and 31 others

... Respondent(s)

W.M.P.No.15112 of 2019

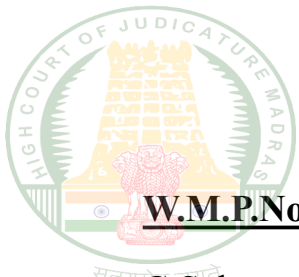
G.Subramania Koushik

... Petitioner (s)

Vs

1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St. George,
Chennai 600 009 and 30 others

... Respondent(s)



W.P.No.15120 of 2019

W.M.P.No.8422 of 2024

G.Subramania Koushik

... Petitioner (s)

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Vs

1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George,
Chennai 600 009 and 15 others

... Respondent(s)

For Petitioner :

Mr.T.V.Suresh Kumar
M/s. Genicon & Associates;
Mr.R.Krishnaswamy in W.M.P.No.2806 of 2026

For Respondent(s):

Mr.P.S.Raman
Advocate General
Assisted by Dr.T.Seenivasan,
Special Government Pleader (Forests),
for RR1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14 and 30
Mrs.A.Sri Jeyanthi for R4
Mr.R.Srinivas,
Senior Counsel for Mr.K.Madhan for R12
Mr.V.Chandrasekaran, Senior Panel Counsel
for RR15, 28, 29, 32
Mr.B.N.Suchindran,
Standing Counsel for TNPCB for R16
Mr.Madhan Babu for R17
Mr.R.S.Diwaagar, M/s.Vivrti Law for R18 and R20
Mr.G.Kalyan Jhabakh
for M/s.Surana and Surana for R19
Mr.G.Prabhu for R21
Mr.R.Sathish Kumar for R22
Ms.Vanitha Bharghava for R23
Mr.Thriyambak J. Kannan for R24
Mr.Vinod Kumar for M/s.J.Sagav Associates for R25



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Mr.Arun C.Mohan for R26

Mr.S.Arunkumar for R27

R31 - Mr.S.Muralidharan (P-I-P)

Mr.P.T.Ramkumar, Standing Counsel for Railways

Amicus Curiae

1. Mr.C.Mohan, Advocate
2. Mr.T.Mohan, Senior Advocate
3. Mr.M.Santhanaraman, Advocate
4. Mr.Rahul Balaji, Advocate

ORDER

(A) Carrying Capacity:-

With reference to carrying capacity and the measures that are to be taken, the learned Amicus Curiae has filed a detailed memo with reference to certain measures to be undertaken for completion of the study as well as the betterment of the biosphere. The memo was also circulated to the Government authorities and also the experts, who had undertaken the study.

2. With reference to Kodaikanal is concerned, the Expert, namely the Indian Institute of Technology, Madras, appointed by the Government, had undertaken the exercise of considering the same and has come up with their response in respect of



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each and every topic of the task, deliverable required by this Court, current status

of the same, the further action required and the methodology to be adopted. The

various works and the comments given are extracted herein for ready reference:

According to the '**Memo filed by Amici Curiae**' (W.P. (PIL) No. 15120 of 2019) the following observations are required to be done for the second interim report of TCC Kodaikanal

Topic	Deliverable Required (by HC)	Current Status	Action required/Methodology
Berijam Lake management plan (Page no. 27)	Specific management plan for this Key Biodiversity Area - maintaining current 720-permit/day limit; monitoring protocol; buffer zone management	20 % data from primary survey	Vegetation dynamics indexing, Lake contour indexing LULC analysis Chlorophyll estimation Hydrodynamics study
Seasonal water demand model (Page no. 27)	Kodaikanal Lake catchment water budget; total demand at peak; carrying capacity expressed in water terms; recommended consumption limits	10% data from primary survey	Inflow-outflow estimation Runoff estimation Seasonal water budget model
Septic tank compliance survey (Page no. 27)	Audit of septic tank adequacy and maintenance compliance across hospitality establishments; remediation plan	De novo work	Per-capita waste estimation WASH indexing Sewage detention period Disposal rate, Tank design
Accommodation inventory (Page no. 27)	Complete inventory for full Kodaikanal planning unit with capacity, water source, sewage, and legal status	30% representative survey data	Extensive survey throughout the Kodaikanal block
RCP/SSP climate projections (Page no. 27)	RCP 2.6, 4.5, and 8.5 scenario projections-the stated primary objective of the study-integrated with carrying capacity parameters across all environmental dimensions	ITM team is working – weather data forwarded from PFRI	This should be submitted during 2 nd interim report
IIT to develop floating population estimate method (Page no. 8)	Floating population estimate methodology integrating e-pass data, accommodation inventory, ticketing data, and road entry counts - drawing on the IIM Report's district-scale approach	30% secondary data	Secondary data, field survey



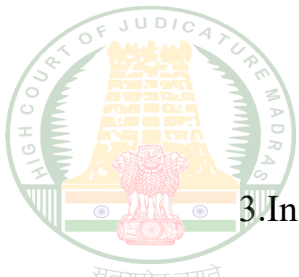
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Topic	Deliverable Required (by HC)	Current Status	Action required/Methodology
Draft zoning framework (Page no. 27)	Preliminary zone map for the Kodaikanal planning area- Core Eco-Sensitive, Buffer, Regulated Tourism, Rural Transition, Agricultural, Mobility Corridor-for stakeholder consultation	30% representative survey data	Indicator identification TOPSIS Zone delineation, MCDA
Tourist season learnings (Page no. 27)	Analysis of e-pass data, time-slot compliance, waste generation, and traffic patterns from May-June 2026 season; recommended adjustments	De novo work	Extensive survey
IIT Report to adopt the IIM Report's district scale systemic framework (Page no. 8)	Systemic framework for the full Kodaikanal planning unit - Kodaikanal town + Vilpatti + Mannavanur + Poomburai + surrounding panchayats - modelling how pressures interact across the unit	De novo work	Methodology from IIM
IIT Report to adopt the IIM Report methodology (Page no. 8)	Methodology for linking road development to landslide incidence and invasive species spread, applying it to the Kodaikanal approach corridors	De novo work	Methodology from IIM
Wildlife corridor & MAC mapping (Page no. 27)	Spatial mapping of Indian gaur, elephant, and other wildlife movement corridors; conflict hotspots; recommended exclusion zones for tourist infrastructure	No data, only incidental data from survey	Extensive seasonal survey throughout all the blocks
Social carrying capacity Assessment (Page no. 27)	Resident attitude survey; quality-of-life indicators; Doxey Irridex positioning for the Kodaikanal community	10% data from HHS	Format development Quality of life indexing Doxey irredex

PARTICULARS TO COMPLETE THE TOTAL WORK

All the suggested works are feasible and implementable
As recommended by the Honourable Amici Curiae, the methodologies prescribed by IIM are required to be adopted for the execution of the study
Extensive seasonal surveys and fieldwork are required across the entire Kodaikanal Block, covering: 15 Village Panchayats, 1 Town Panchayat, and 1 Municipal Town
One qualified wildlife expert is required to be engaged to support ecological and biodiversity-related assessments
As per the requirements the completion of work will take minimum up to 31st January, 2028



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3. In order to complete the work, it is suggested that the timeline for completion of all the work shall go even up to 31.01.2028.

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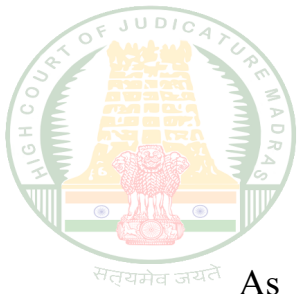
4. We had considered the various suggestions made and also heard the learned Additional Advocate General in this regard.

5. One qualified Wildlife Expert as required by IIT Madras shall be suggested and nominated by the Secretary to Government, Department of Environment, Climate Change and Forest, Government of Tamilnadu. The measures recommended by the expert may be initiated and carried out in accordance with the necessity and prescribed timeline. But however, the same can be undertaken as expeditiously as possible.

6. It can be seen that apart from the carrying capacity estimation, this will be of great benefit to the environment in several aspects, including benefit to the local authority and also to the Government while indulging in the other exercises under the Town and Country Planning Act, etc.. Therefore, let the above works as suggested be started and be undertaken. The periodical progress made, shall be filed as status report before this Court.

(B)E-Pass:

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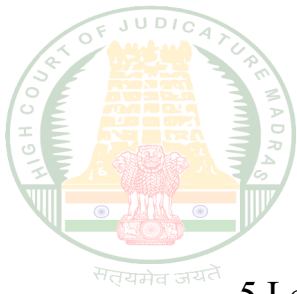
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As far as E-pass is concerned, several newspaper reports are also relied upon with reference to number of vehicles exceeding the upper cap and about the poor implementation of the same. In this regard, we are confronted with specific problems.

2.Firstly, even though boom barriers have been installed, it is stated that the software synchronization between the E-pass software and ANPR synchronization has not been completed. Hence, the very purpose of installing boom barrier and the ANPR camera to ensure automated capture and maintenance of data stands defeated and therefore, the exercise of synchronising the software should be carried out as expeditiously as possible.

3.Secondly, by our earlier order, we had also directed the calibration of the software with reference to E-pass. In order to appropriately estimate the available upper cap e-pass by taking into consideration the number of days stay of every vehicle, the earlier order passed by us dated 20.03.2026, explains the position.

4.Today, in response thereof, it is submitted that the District Collectors have communicated with the TNEGA for ofware calibration. The same is still pending.



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5. Let the same be completed as expeditiously as possible before this peak season gets over. It is made clear that both the above measures relating to synchronization of the software and calibration of the software be completed on or before 24.04.2026, so that at least from next weekend onwards, the E-pass implementation will get streamlined.

6. Thirdly, there must be proper checking. In this regard it is already brought on record that the concerned districts have engaged self help groups. Apart from the same, if any temporary heads are also needed to man these check posts, to ensure round the clock checking, such temporary heads, on contract basis, can also be appointed and funds in this regard can be mustered by the District Collector from and out of the e-tax that is collected in respect of the Districts including Nilgiris, Coimbatore and Dindigul and the funds can be utilized for the said purpose.

7. With reference to Valparai is concerned, it is reported that they have already taken steps for implementation of the upper cap limit. Let the same be implemented and data be maintained. It is further made clear that this year is going to be the crucial year for determination of carrying capacity, which is going to be taken into account by the Experts and therefore, the upper cap shall be



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meticulously maintained and this can brook no violation whatsoever. It is made clear that the Court will take serious note, if there are any lapses by any authority, for whatever reasons. Let the upper cap of E-pass be maintained and implemented strictly throughout this peak season.

8. Status report in regard to software shall be filed on 24.04.2026 and with other respects of the data be filed on 05.06.2026.

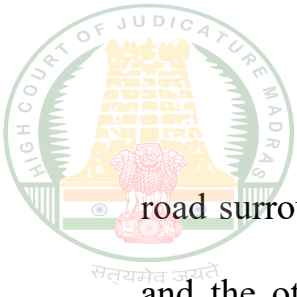
(C)Traffic Arrangements in Nilgiris:

With reference to the traffic arrangements in Nilgiris, we have already passed an order with reference to Kalatti road traffic by our order dated 29.04.2024 itself, which seems to have not been implemented till date.

2. The District Collector, Nilgiris shall take immediate steps to implement the same immediately. The order remains unimplemented for a long time, and therefore any further delay would be treated as willful disobedience of the order of this Court.

(D)Traffic Arrangements in Kodaikanal and Ooty:

With reference to Kodaikanal also, it is brought to our notice that when the



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road surrounding the Kodaikanal lake is already declared as one way, the tourists

and the other visitors enter from the various ingresses and egresses throughout 4.15 km., radius and try to commute in the opposite direction. Already vehicles are parked in the permitted places and this kind of entries completely choke the traffic. Therefore, the Superintendent of Police, Traffic Wing, Dindigul District, shall ensure that the traffic arrangement is strictly implemented by posting adequate Police personnel and taking strict measures to implement the said one way traffic, so that no person, who is entering in between, also travels on the opposite direction. If necessary, any CCTV/ Automatic camera system and such other measures can also be installed for monitoring the same. Adequate personnel shall also be deployed for the due implementation of the traffic arrangements during this peak season.

2. Even with reference to Ooty, special care must be taken for traffic management and all arrangements to ease the congestion shall be undertaken during the peak season.

3. The Government with reference to Nilgiris had also announced the hop on and hop off services and the authorities shall consider implementation of the same at the earliest. Amicus Curiae has also made suggestions that the same is very much essential for Kodaikanal and it will work to the benefit of management of

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the traffic, both with reference to Nilgiris and Kodaikanal, for all the tourist spots,

so that the tourists can avail the said services and there will not be any congestion

and choking at these various tourist and vantage points.

4.Status report be filed on 05.06.2026.

[N.S.K., J.]

[D.B.C., J.]

17.04.2026

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To

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 – 643 001.
3. The Commissioner,
Udhagamandalam Municipality,
Ooty,
The Nilgiris District.
4. The Commissioner,
Coonoor Municipality,
Coonoor,
The Nilgiris District.
5. The Commissioner,
Gudalur Municipality,

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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 – 643 001.

9. The Commissioner,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.

10. The Principal Secretary to Government,
Transports Department,
Secretariat,
Fort St. George,
Chennai – 600 009.

11. The Transport Commissioner,
Government of Tamil Nadu,
Commissionerate of Transport and Road Safety,
Ezhilagam, PWD Estate,
Chepauk, Triplicane, Chennai – 600 005.

12. The Principal Secretary,
Department of Municipal Administration,
Urban and Water Supply, Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.



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13. The Additional Chief Secretary,
Department of Tourism,
Culture and Religious Endowments Department,
Government of Tamil Nadu, Secretariat,
Fort St. George, Chennai – 600 009.
14. The Secretary to the Ministry of Road Transport and Highways,
Transport Bhawan, No.1, Parliament Street, New Delhi – 110 001.
15. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai, Guindy, Chennai – 600 032.
16. The Tamil Nadu Co-operative Milk Producers
Federation Limited, (AAVIN),
AAVIN ILLAM, TCMPF Ltd.,
3A, Pasumpon Muthuramalingar Salai,
Nandanam, Chennai – 600 035.
17. The Secretary to Government,
Ministry of Health and Family Welfare,
Government of India, Nirman Bhawan, New Delhi – 110 003.
18. The Secretary to Government,
Ministry of Environment, Forest and Climate Change,
Government of India,
Indira Paryavaran
Bhawan, Jorbagh Road, New Delhi – 110 003.
19. The Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu, Fort St. George,
Chennai – 600 009.
20. The Chairperson,
Food Safety and Standards Authority of India (FSSAI)
3rd and 4th Floor, FDA Bhawan,
Kotla Road near Bal Bhawan,
New Delhi – 110 002.



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N.SATHISH KUMAR. J.

AND

D. BHARATHA CHAKRAVARTHY. J.

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17.04.2026