

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Twenty Second day of December Two Thousand Twenty

PRESENT

THE HON'BLE MR JUSTICE M.DURAI SWAMY

WP.NO.19617 OF 2020

AND

WMP.NO.24242 OF 2020

MR.SANJAY NARAYANAN, [PETITIONER IN BOTH THE PETITIONS]
THE DIRECTOR,
NATURE RESORT AND SPA
INDIA PRIVATE LTD.,
KURUMBADI, COONOR,
NILGIRIS DISTRICT,
(FORMERLY KNOWN AS COSMOS
RESORTS INDIA PRIVATE LTD.,)

VS

1 THE COMMISSIONER [RESPONDENTS IN BOTH THE PETITIONS]
COMMISSIONER OF LAND
ADMINISTRATION,
CHEPAUK, CHENNAI-600 005

2 THE COLLECTOR
THE NILGIRIS DISTRICT
UDAGAMANDALAM

3 THE DISTRICT FOREST OFFICER
THE NILGIRIS NORTH DIVISION
UDAGAMANDALAM

4 THE PRESIDENT
BARLIAR VILLAGE PANCHAYATH
KURUMBADI, COONOR
THE NILGIRIS DISTRICT

5 THE REVENUE DIVISIONAL OFFICER
COONOR, UDAGAMANDALAM DISTRICT

6 THE TAHSILDAR
COONOR TALUK
UDAGAMANDALAM

7 THE FOREST RANGE OFFICER
COONNOOR RANGE, COONNOOR
NILGIRIS DISTRICT-643 102

Writ Petitions under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a WRIT OF CERTIORARIFIED MANDAMUS or any other writ or order, direction in the nature of writ, calling for the records of 1st respondent in Proc.No.E3/6734/2019 dated 11.08.2020 and quash the same and directing the respondents to grant permission for the usage of the cart track in S.NO.288/1, 289/1,2 and 290/1,2 to an extent of 0.20.0 Hectare (0.50 acres) in Barliyur Village, Coonoor Taluk, Nilgiris District (in WP.NO.19617 OF 2020) and

(ii) To restrain the respondents, their men, agents or anyone claiming through them from interfering with the peaceful enjoyment of the cart track in S.NO.288/1,289/1,2 and 290/1,2 in Barliyur Village, Coonoor Taluk, Nilgiris District, Pending disposal of the writ petitions (in WMP.NO.24242 OF 2020).

Order : These petition coming on this day for hearing upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.V.MANO HAR, Advocate for the petitioner in both the petitions and of MR.S.N.PARTHASARATHI, Government Advocate for the first, second, fifth and sixth respondents in both the petitions and of MRS.K.BHUVANESWARI, Additional Government Pleader for the fourth respondent in both the petitions and of MR.S.PRABHU, Special Government Pleader for the third and seventh respondents in both the petitions, the court made the following order:-

Mr.S.N.Parthasarathi, learned Government Advocate takes notice for the respondents 1, 2, 5 & 6, Mrs.K.Bhuvaneshwari, learned Additional Government Pleader takes notice for the 4th respondent and Mr.S.Prabhu, learned Special Government Pleader takes notice for the respondents 3 & 7.

2.Mr.S.N.Parthasarathi, learned Government Advocate sought time till 11.01.2021 for filing counter. Post the matter on 11.01.2021. Counter of the respondents by then.

3.The respondents are directed to maintain status-quo till 11.01.2021.

-sd/-
22/12/2020

/ TRUE COPY /

TO

1 THE COMMISSIONER
COMMISSIONER OF LAND
ADMINISTRATION,
CHEPAUK, CHENNAI-600 005

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NILGIRIS DISTRICT-643 102

C.C. to MR.V.MANO HAR Advocate SR.NO.6407

Order
in

WP.NO.19617 OF 2020
AND
WMP.NO.24242 OF 2020

Date :22/12/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
UM (30.12.2020)