



WEB COPY

WP No. 37362 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 37362 of 2025

Sagunthala

W/o Moorthy, D. No 49, Bishop Down,
R.K. Puram, Udhagamandalam,
The Nilgiris District

..Petitioner(s)

Vs

1. The District Collector
Collector Office, Udhagamandalam, The
Nilgiris District
2. The District Forest Officer
Udhagamandalam The Nilgiris Distrit
3. The Forest Range Officer
South Division, Udhagamandalam The
Nilgiris Distrit

..Respondent(s)

Forbearing the respondents, their men agents servants or any body claiming through them form interfering with the petitioners peaceful possession and enjoyment of their property, situated at old Survey No F / 307/ A Re-survey No 658 and Town survey No. H / 13/ 34, to an extent of 0.03-1/2 Acres of land together with a building, located at R.K. Puram BishopDown, Udhagamandalam, The Nilgiris District and from obstructing the right of way that leads form Hobart Road to the petitioners property.

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For Petitioner(s):

Mrs.T.V. Mala



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For Respondent(s):

Mr.R.Neethi Perumal,
Government Advocate
for R1 to R3

Order

(Order of the Court was made by S.M.Subramaniam J.)

The relief sought for in the present writ petition is to forebear the respondents, their men, agents, servants or any body, claiming through them from interfering with the petitioners peaceful possession and enjoyment of their property, situated at old Survey No.F / 307/ A Re-survey No. 658 and Town survey No. H / 13/ 34, to an extent of 0.03-1/2 Acres of land together with a building, located at R.K. Puram BishopDown, Udthagamandalam, The Nilgiris District and from obstructing the right of way that leads form Hobart Road to the petitioners property.

2. The relief as such sought for is absolutely misconceived. Such a relief in the nature of injunction cannot be granted in exercise of powers conferred under Article 226 of the Constitution of India.

3. The Forest officials issued eviction notice by invoking the provisions of the Forest Act and the Rules framed thereunder.

4. Instead of submitted explanation in response to the notice, the present writ petition is filed seeking an injunction not to dispossess. Thus, the present writ petition is not entertainable. However, the petitioner is at liberty to submit his explanation along with documents, if any, to the competent authority, in response to the notice issued under the Forest Act and the



authorities, on receipt of any such explanation shall consider the same and thereafter, take a final decision and proceed with the eviction process, if any encroachments are identified.

5. With the above observation, the Writ Petition stands dismissed. No costs.

(S.M.S.,J.) (K.S.,J.)
28-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To

1. The District Collector
Collector Office, Udhagamandalam,
The Nilgiris District.
2. The District Forest Officer
Udhagamandalam The Nilgiris Distrit
3. The Forest Range Officer
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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

VSI

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