

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Twenty Second day of July Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE SANJIB BANERJEE, CHIEF JUSTICE

and

THE HON`BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP.Nos.27356 and 28475 of 2019

MR.S.MURALIDHARAN ... PETITIONER in WP No.27356 of 2019

T.M.S.RAJENDRAN ... PETITIONER in WP No.28475 of 2019

Vs

1 PRINCIPAL CHIEF CONSERVATOR ... RESPONDENT in WP No.27356/2019
OF FORESTS AND CHIEF WILDLIFE WARDEN
DEPARTMENT OF FORESTS GOVT. OF TAMIL NADU
NO.1 JEENIS ROAD PANAGAL BUILDINGS
SAIDAPET CHENNAI-600 015

2 STATE OF TAMIL NADU
REP. BY ITS CHIEF SECRETARY FORT ST.GEORGE
CHENNAI- 600 009

[R2 DELETED VIDE ORDER DATED 09.06.2021 MADE IN WMP.4685/2021 IN WP.27356/2019 BY CJ, SKRJ]

3 DISTRICT COLLECTOR
COIMBATORE DISTRICT GOPALPURAM
COIMBATORE-6410108

4 PRINCIPAL SECRETARY / CHAIRMAN
TAMIL NADU POLLUTION CONTROL BOARD NO.
76 MOUNT SALAI GUINDY CHENNAI- 600 032

5 THE COMMISSIONER
DEPARTMENT OF GEOLOGY AND MINING THIRU.VI.KA.
INDUSTRIAL ESTATE ALANDUR ROAD GUINDY
CHENNAI-600 002

6 GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE INDIRA PARYAVARAN BHAVAN JORBAGH
ROAD NEW DELHI-110 003

- 1 THE SECRETARY TO GOVERNMENT ... RESPONDENT in WP No.28475/2019
DEPARTMENT OF GEOLOGY AND MINING
SECRETARIAT CHENNAI 9
- 2 THE PRINCIPAL SECRETARY TO
GOVERNMENT DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT SECRETARIAT CHENNAI 9
- 3 DIRECTOR OF GEOLOGY AND MINING
THIRUVEEKAA INDUSTRIAL ESTATE
GUINDY, CHENNAI 32
- 4 THE DIRECTOR
DIRECTORATE OF TOWN AND COUNTRY PLANNING
CHEGALVARAYAN BUILDING 4TH FLOOR NO. 807
ANNA SALAI CHENNAI 2
- 5 THE CHAIRMAN/ PRINCIPAL SECRETARY
TAMIL NADU POLLUTION CONTROL BOARD
NO. 76 ANNA SALAI GUINDY INDUSTRIAL ESTATE
GUINDY CHENNAI 32
- 6 THE CHAIRMAN AND MANAGING
DIRECTOR TAMIL NADU GENERATION AND
DISTRIBUTION CORPORATION LTD. (TANGEDCO)
NO. 144 ANNA SALAI CHENNAI 2
- 7 DEPUTY DIRECTOR OF TOWN AND
COUNTRY PLANNING COIMBATORE REGION
DR.NANJAPPA ROAD CORPORATION SHOPPING COMPLEX
COIMBATORE - 641018
- 8 THE JOINT DIRECTOR OF GEOLOGY
AND MINING GEOLOGY AND MINING DEPARTMENT
COIMBATORE
- 9 THE DISTRICT ENVIRONMENTAL
ENGINEER TAMIL NADU POLLUTION CONTROL BOARD
SIDCO INDUSTRIAL ESTATE POLLACHI MAIN ROAD
COIMBATORE - 641021
- 10 THE DISTRICT COLLECTOR
COIMBATORE DISTRICT COIMBATORE
- 11 THE DEPUTY COMMISSIONER OF
LABOUR COIMBATORE REGION COIMBATORE
- 12 THE DEPUTY DIRECTOR OF HEALTH
SERVICES NO. 268 RACE COURSE SCHEME
ROAD COIMBATORE - 641018

13 THE SUPERINTENDING ENGINEER
TANGEDCO TATABAD COIMBATORE - 641012

14 COIMBATORE DISTRICT IRULA SAMUGA NALA
SANGAM, REPRESENTED BY ITS PRESIDENT
MALLAN NANJAN OLD 9/8, VADAKALLUR ANAIKATTI,
24 VEERAPANDI ANAIKATTI (NORTH), ANAIKATTI,
COIMBATORE 641 108.

15 V.VENUGOPAL

16 RANGANATHAN

17 THADAGAM S.GANESH

18 MANICKARAJ

19 RANGARAJ CHINNAMA NAIDU

(R14 TO R19 IMPEADED VIDE ORDER DATED 04/12/2020 MADE IN
WMP.18164/2020 IN WP.28475 BY VKJ, MSRJ)

Writ Petitions filed under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

1 WP No.27356 of 2019

issue a writ of mandamus or any other writs or directions, directing the 1st respondent to identify and secure the elephant corridors in Coimbatore forest division with the support of the other respondents

2 WP No.28475 of 2019

Directing the respondents herein to take necessary action to close down the illegal brick kilns being operated in all the villages of ChinnaThadagam, Nanjundapuram, Veerapandi, Somayampalayam and Pannimadaipanchayats of Coimbatore District within the time frame stipulated by this Honorable Court

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.ABISHEK JENASENAN, Advocate for the petitioner in WP.No.27356/2019 and of M/S.C.DEIVASIGAMANI, Advocate for the petitioner in WP.No.28475/2019 and of M/S.C.HARSHA RAJ, Advocate for the state in WP.No.27356/2018 the court made the following order:-

(Made by the Hon'ble Chief Justice)

It is submitted on behalf of the State that a comprehensive study has been undertaken with international elephant experts and the World Wildlife Fund for the purpose of ensuring that elephant corridors and habitat belonging to the elephant in the Nilgiris area, if invaded, are restored to the forests and to the animals. The State seeks four weeks time to file a report after the study is conducted so that there may be sufficient material before the court.

2. According to the petitioner, one of the areas considered as a corridor has been restored as it was later discovered to be a habitat and the restoration of such part has been upheld by the Supreme Court.

3. List the matter six weeks hence.

4. The State's affidavit indicating the status of the area, the manner in which it was in use and its present state, should be filed within four weeks from date. All other parties will be entitled to obtain copies of such report or affidavit.

5. In view of the order in the main matter, the writ petition filed by the brick kiln owners for vacating the stay or otherwise in respect of brick kilns in the Nilgiris area will also appear along with the main matter.

6. List on 02.09.2021.

-sd/-
22/07/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL CHIEF CONSERVATOR
OF FORESTS AND, CHIEF WILDLIFE WARDEN,
DEPARTMENT OF FORESTS, GOVT. OF TAMIL NADU,
NO.1 JEENIS ROAD, PANAGAL BUILDINGS,
SAIDAPET, CHENNAI-600 015

2 THE DISTRICT COLLECTOR
COIMBATORE DISTRICT, GOPALPURAM, COIMBATORE-6410108

3 THE PRINCIPAL SECRETARY / CHAIRMAN,
TAMIL NADU POLLUTION CONTROL BOARD,
NO.76, MOUNT SALAI, GUINDY, CHENNAI- 600 032.

- 4 THE COMMISSIONER
DEPARTMENT OF GEOLOGY AND MINING
THIRU.VI.KA.INDUSTRIAL ESTATE, ALANDUR ROAD,
GUINDY, CHENNAI-600 002
- 5 GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH
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TANGEDCO TATABAD COIMBATORE - 641012.

Order

in

WP.Nos.27356 of 2019 and 28475 of 2019

Date :22/07/2021

From 26.2.2001 the Registry is issuing certified
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KP(11/01/2021)
KP(11/02/2021)
KP(02/07/2021)
KP(26/07/2021)