

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 85 of 2025 (SZ)**

In the matter of:

M Kumar

... Applicant(s)

Versus

Union of India and ors

...Respondent(s)

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Through
Dr. D. Shanmuganathan
Standing Counsel for Government of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai

DATE: 16.07.2025

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 85 of 2025 (SZ)

In the matter of:

M Kumar

... Applicant(s)

Versus

Union of India and ors

...Respondent(s)

MEMO FILED BY THE STANDING COUNSEL FOR
GOVERNMENT OF TAMILNADU

1. In Original Application No. 85 of 2025 regarding the formation of a new road from Thirumoorthy Hills to Gurumalai, it is respectfully submitted that the Hon'ble Tribunal had earlier considered a similar issue in **Original Application No. 132 of 2024, Udumalai Vivasayigal Paadhukapu Sangam Vs The District Forest Officer**, filed on 29.04.2024. The said application was subsequently withdrawn by the applicant on 18.07.2024

2. It is further submitted that the reliefs sought in both the above applications are similar to the matter currently pending before the Hon'ble High Court of Madras (Principal Bench) in Writ Petition No. 24085 of 2024, *D. Gowtham Vs Union of India and Others*, filed on 08.08.2024.

The following Documents are enclosed herewith for the tribunal's perusal

1. Copy of Original Application No 132 of 2024 dated 29.04.2024 (ANNEXURE 1)
2. Order in original application No 132 of 2024 dated 18.07.2024 (ANNEXURE 2)
3. Affidavit in writ petition No 24085 of 2024 dated 08.08.2024 (ANNEXURE 3)
4. Order in writ petition no 24085 of 2024 dated 06.03.2025 (ANNEXURE 4)
5. Counter Affidavit of District Collector in Writ Petition No 24085 of 2024 dated 02.04.2025 (ANNEXURE 5)



DATE : 16.07.2025

Dr. D. Shanmuganathan
Standing Counsel
Government of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai

(Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act 2010)

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI
MEMORANDUM OF APPLICATION**

Original Application No. _____ of 2024

Between:

Udumalai Vivasayigal Paadhukapu Sangam,

Applicant

and

The District Forest officer,
Anaimalai Tiger Reserve,
Udumalpet Taluk,
Tiruppur District - 642301
And 3 others

Respondents

SYNOPSIS

The Applicant presents a case concerning the Anaimalai Tiger Reserve (ATR), an ecologically significant area within the Western Ghats, home to diverse flora and fauna, including endangered species like the Bengal tiger. The Applicant raise alarm over the proposed construction of a new road within the reserve, spanning from Thirumoorthy hills to Gurumalai. The Applicant underscores that despite the availability of an existing concrete road connecting Gurumalai with Attakati and an alternative route from Thirumoorthy hills to Dhali Town, the sanctioned road project lacks necessity. The Applicant argue that the new construction poses an imminent threat to the reserve's delicate ecosystem, leading to the destruction of plant life and disruption of wildlife habitats. Furthermore, the Applicant points out the absence of environmental assessment and approval from the Forest Department for the proposed road construction, a violation of regulatory protocols. The Applicant emphasize the potential

environmental repercussions, such as deforestation, soil erosion, and loss of water resources, which could adversely affect both natural ecosystems and agricultural livelihoods. Moreover, the Applicant highlights the likelihood of increased human-wildlife conflicts due to heightened human activity within the reserve, jeopardizing the safety and well-being of local communities and wildlife populations. In light of these concerns, the Applicant urgently seeks intervention from the tribunal to halt the project, safeguarding the ecological integrity of the ATR and ensuring compliance with environmental regulations. Hence the application.

Dated at Chennai on this 18th day of April 2024



Counsel for Applicant

(Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act 2010)

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI
MEMORANDUM OF APPLICATION**

Original Application No. _____ of 2024

Between:

Udumalai Vivasayigal Paadhukapu Sangam,
11/275, Puvi Iyarkai Pannai,
Thirumoorthy Nagar Post,
Udumalpet Taluk,
Tiruppur District - 642112
Ph No: 9942250143
E- mail: udumalaivivasayigalsangam@gmail.com

Applicant

and

1. The District Forest officer,
Anaimalai Tiger Reserve,
Udumalpet Taluk,
Tiruppur District - 642301
Ph no: 9442527339
Email: dfotiruppur@gmail.com
2. The District Collector,
The District Collector's Office,
Tiruppur District - 641604
Ph No: 0421-2971100
Email: collrtup@nic.in
3. Thali Town Panchayat,
Dhali Post,
Udumalpettai Taluk,
Tiruppur District - 642126
Ph No: 8883100308
Email: dhalitp@yahoo.in
4. Vinayaga & Co,
Sf No: 186/1,
Possaripatti,
Dharapuram Main Road,
Pollachi,
TamilNadu - 642205
Ph No: 07845102566
Email: Vinayagaandco@gmail.com

Respondents

சென்னை நகராட்சி
பொது உட்கட்டிடப் பணிகள்துறை

For உட்கட்டிடப் பணிகள்துறை
பொது உட்கட்டிடப் பணிகள்துறை

T. K. K. K. K.

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The Applicant is Udumalai Vivasayigal Paadhukaapu Sangam, having office at 11/275, Puvu Iyarkai Pannai, Thirumoorthy Nagar post, Udumalpet taluk, Tiruppur District - 642112. The Applicant is interested in the protection and welfare of the farmers, agricultural lands and natural resources. It is submitted that the present Application has been filed seeking appropriate directions to restrain the Respondents from the construction of a new road from the base of the Western Ghats i.e. Thirumoorthy hills to the Gurumalai, inhabited by hill-dwelling communities, within the Udumalai Circle of Dhali Municipality in the Tirupur District.

The address for service on the Applicant is that of its Counsel:

M/s S.KARPAGAPRIYA, S.ROSHAN, U.GOKULAKRISHNAN,
B.PACHAIYAPPAN, K.N.ARUN PRASAD, S.SARAN PRASAD, ANOJ
ELANGOVAN and MANNE RAMYA, Advocates for the Applicant

Flat GE, Ground Floor, Dev Eswari Apartments, No.18 (Old No. 11-12), 8th
Cross Street, Shastri Nagar, Adyar, Chennai - 20.

The Respondents are

1. The District Forest officer,
Anaimalai Tiger Reserve,
Udumalpet Taluk,
Tiruppur District - 642301
Ph no: 9442527339
Email: dfotiruppur@gmail.com
2. The District Collector,
The District Collector's Office,
Tiruppur District - 641604
Ph No: 0421-2971100
Email: collrtup@nic.in
3. Thali Town Panchayat,
Dhali Post,
Udumalpettal Taluk,
Tiruppur District - 642126
Ph No: 8883100308
Email: dhalitp@yahoo.in

Udumalai Vivasayigal Paadhukaapu Sangam
பாடிமலை விவசாயிகள்
பாடிமலை பி.பி.பி.பி.பி.

Udumalai Vivasayigal Paadhukaapu Sangam

Udumalai Vivasayigal Paadhukaapu Sangam

For உடுமலை விவசாயிகள்
பாடிமலை பி.பி.பி.பி.பி.

T. K. K. K. K. K.
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- 4. Vinayaga & Co,
Sf No: 186/1,
Possaripatti,
Dharapuram Main Road,
Pollachi,
TamilNadu – 642205
Ph No: 07845102566
Email: Vinayagaandco@gmail.com

The address for service on the Respondents is as stated above.

FACTS IN BRIEF

- 1. The Applicant humbly submits that the Anamalai Tiger Reserve is carved out of the Tamil Nadu portion of the Anamalai Hills. The Tamil Nadu part of the reserve is called as Anamalai Tiger Reserve (ATR). It lies South of the Palakkad gap in the Southern Western Ghats. The Anamalai Tiger Reserve falls within the Western Ghats mountain chain of South West India, a region designated as one of 25 Global Biodiversity Hotspots. The biogeographical classification of the country includes Western Ghats which are considered as one of eight "hottest hot spots". The Tiger Reserve falls in four revenue taluks namely; Pollachi, and Valparai of Coimbatore district and Udumalpet of Tiruppur District and Kodaikanal taluk in Dindigul district in the State of Tamilnadu. The official headquarters of Anamalai Tiger Reserve is at Pollachi. Administratively, it falls under the Tamilnadu Forest Department.
- 2. The Applicant humbly submits that the Anamalai Tiger Reserve possesses diverse fauna and flora and the Tiger Reserve supports diverse habitat types viz. Wet evergreen forests, semi evergreen forests, moist deciduous, dry deciduous, dry thorn and shola forests. Other unique habitats like montane grass lands, savannah and

தமிழ்நாட்டின் வனத்துறை
கொழும்பு மாவட்டம்

மேல்குடி

தலைவர்

For a genuine document
LANGGANAN SARI

T. K. K. K. K.
சுவாமி

D. I.
சுவாமி



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marshy grass lands are also present. Considerable extent of man-made teak plantations, exotics like eucalyptus, wattle, pines and deep fresh water ecosystem created by the construction of Parambikulam Aliyar Project and Amaravathi dams etc, add to the diversity of the place.

3. The Applicant humbly submits that the endemism of the vegetation is very rich in the Tiger Reserve. There is a long list of red, endangered and threatened species of plants (more than 39 species) distributed and well protected in the Tiger Reserve, apart from bamboos, canes, reeds, palms and ferns, including tree ferns.
4. The Applicant humbly submits that the Tiger Reserve supports a healthy population of several endangered wild animals with more than 70 species of fishes, 70 species of amphibians, 120 species of reptiles more than, more than 300 species of birds, more than 80 species of mammals. Over and above all of the above, the presence of more than 25 tigers within the Reserve underscores the healthiness of this eco system.
5. As stated earlier, the Parambikulam – Aliyar Project and Amaravathi dam are housed in the Anaimalais, play a vital role in the regional economy by providing water and power. The agricultural prosperity of the plains in Pollachi, Udumalpet and hilly taluk of Valparai, adjoining areas in Erode district, depends very much on this Tiger Reserve.
6. While this is so, the 2nd Respondent herein has now sanctioned a new road construction project from the Thirumoorthy hills to the Gurumalai, within the Anaimalai tiger reserve area extending for about 3150 Meters, under the Tribal Welfare Scheme vide

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கனம் துணை மாநகராட்சி

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For உமையா விவசாயிகள்
பிழைப்பு சங்கம்

T. K. K. K. K.
சென்னை



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Na.Ka.No.18280/2023/ P1 dated 12.01.2024. The estimated cost for the construction of the said road is about Rs.49,00,000/-, which has also been approved.

7. The Applicant humbly submits that the proposed road poses a significant threat to the Reserve and its natural resources. There is absolutely no necessity for the construction of a new road in as much as there is already a concrete road connecting the Gurumalai with the Attakati, serving the transportation needs of the villagers as well as the forest department within the Anaimalai Tiger reserves. The concrete road between Attakati and Gurumalai was recently constructed with an estimation of about 12 Crores. Also, the Thirumoorthy hills has a direct road connecting with the Dhali Town. The 2nd Respondent's order dated 12.01.2024 does not disclose any reason for construction of new road in spite of there being an alternate road in the vicinity. This poses a huge question as to why an additional road should be constructed within an eco-sensitive reserve forest, that too a tiger reserve, when there is no tangible benefit that is discernible in the policy or the facts.
8. The Applicant respectfully submits that the construction of this road from will disrupt the delicate balance of the Western Ghats ecosystem and the Anaimalai Tiger reserve, which houses diverse flora and fauna, including a highly endangered species like the Bengal tiger. The construction of a new road from the Thirumoorthy hill temple to Gurumalai would cause undue and a completely unnecessary destruction of thousands of plants and trees, which in turn will disrupt the habitats of animals.
9. The Applicant humbly submits that the said villagers from Gurumalai had illegally tried to form a road within the forest by clearing the trees and rocks for quicker transportation. However, the Forest

For the Applicant
 T. Mahesh
 Advocate

For the Respondent
 T. Mahesh
 Advocate

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officials had stopped the formation of the illegal road. The said activity of the Gurumalai villagers was even captured in the newspaper dated 11.03.2024. Since their action had been thwarted by the forest officials, they have not resorted to political pressure to get the road formed the local political circle has got the road sanctioned with vested interest and without any regard to the inevitable consequences of forming a road in the middle of the tiger reserve.

10. The Applicant respectfully states that the sanctioned new road would necessitate bending and winding through the steep terrain of the Western Ghats. This would result in widespread in destruction of forest and its natural resources, apart from adversely impacting the wild animals therein. Additionally, construction of new roads invariably leads to increased movement, which would disrupt the delicate balance of the existing eco-system.

11. The Applicant states that the existing concrete road itself is a significant challenge to the preservation of the tiger reserve and the unnecessary and wholly avoidable construction of a new road would only exacerbate this issue. The present project has not considered the environmental implications and potential damage to wildlife habitats before proceeding with such infrastructure projects.

12. The Applicant submits that the said project is being proceeded with without the clearance and the no-objection certificate from the Forest Department. The entirety of the Western Ghats, which is a globally recognized biodiversity hotspot, sustains its ecological balance and supports the lives therein only because of the minimum interference to it. As stated in detail herein above, the biodiverse ecosystems therein not only harbour numerous endemic species but also provide essential ecosystem services crucial for human well-

தேசிய காங்கிரஸ் கட்சியின் உறுப்பினர்
பிரதீபா சிவசாமி

தேசிய காங்கிரஸ் கட்சி

தேசிய காங்கிரஸ் கட்சி

For உடுமலை விவசாயிகள்
பாதுகாப்பு சங்கம்

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being, including water regulation, soil fertility, and climate regulation.

13. While so, the proposed construction of a new road by the 4th respondent, who has secured the tender issued by the 3rd respondent for the construction of said road, poses a significant threat to the delicate ecological balance of the region. The fragmentation of habitat and disruption of wildlife corridors resulting from road construction would imperil the survival of numerous plant and animal species endemic to the Ghats, particularly the tigers inhabiting the area.

14. Moreover, the construction of the proposed road would pose other environmental challenges such as deforestation, soil erosion, loss of water resources, which will undermine the resilience of both natural ecosystems and agricultural livelihoods. Such disruptions not only threaten the survival of flora and fauna but also undermine the ecological off-shoots such as water regulation and carbon sequestration, which are essential for the well-being of both human communities and wildlife. The increasing encroachment of human infrastructure and the consequent traffic into pristine forest areas would increase human-wildlife conflicts, endangering the safety and well-being of local communities and wildlife.

15. In the light of the serious concerns about its potential impacts on biodiversity and the ecological issues, particularly its potential to tip the balance of the tiger reserve, the proposed construction of a new road through the Western Ghats is liable to be stopped forthwith. The fact that the proposal is moving forward and has reached the tender stage without even taking the approval of the Forest Department shows the undue haste, utter disregard and indifference to the sensitivity of the reserve forest and the damaging

For the Forest Department, Western Ghats
Tiger Reserve

For the Forest Department

For the Forest Department

For the Forest Department, Western Ghats
Tiger Reserve

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consequences it is likely to have in the long run. It is under these circumstances that the Applicant has approached this Hon'ble Tribunal to forbear the Respondents from a new road from the base of the Western Ghats i.e. Thirumoorthy Hills to Gurumalai within the Udumalai Circle of Dhali Municipality in the Tirupur District.

LIMITATION

The Applicant filed this original application, declares as per the National Green Tribunal Act, 2010, the application is well within the prescribed time, The cause of action in this case arises from the proposed construction of a new road from the base of the Western Ghats to Gurumalai within the Udumalai Circle of Dhali Municipality in the Tirupur District by the respondents. Hence this is a continuous cause of action, and furthers all the notices and issued to the respondents concern. The Petitions / complaint annexed here with this application have to be read as part and parcel of this application.

COURT FEE:

The applicant has duly paid the court fee of Rs.1000/- along with the printing charges.

INTERIM RELIEF

Pending disposal of the Application, the Applicants pray that this Hon'ble Tribunal may be pleased to pass an order of Interim Injunction restraining the Respondents from proceeding with the construction of a new road from the base of the Western Ghats i.e. Thirumoorthy Hills to the Gurumalai within the Udumalai Circle of Dhali Municipality in the Tirupur District and pass such further or other orders as this Hon'ble Tribunal deems fit and necessary in the interests of Justice.

சென்னை நகராட்சி மன்றம்
புதுச்சேரி மாவட்டம்

சென்னை

சென்னை

For உடுமலை விவசாயிகள்
பாதுகாப்பு சங்கம்

T. Mohan
தலைவர்

செயலாளர்



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PRAYER

For the reasons stated above, it is humbly prayed that this Hon'ble Tribunal may be pleased to:

restrain the Respondents from proceeding with the construction of a new road from the base of the Western Ghats i.e. Thirumoorthy Hills to the Gurumalai within the Udumalai Circle of Dhali Municipality in the Tirupur District and pass such further or other orders as it may deem fit under the facts and circumstances of the case and thus render justice.



Signature of the Applicant's Counsel

For உடுமலை விவசாயிகள்
பாதுகாப்பு சங்கம்

T. K. K. K. K. K.
தலைவர்

செயலாளர்

Signature of Applicant.

VERIFICATION

We, Udumalai Vivasayigal Paadhukaapu Sangam, the Applicant herein, do hereby verify that the contents of the above paragraphs are true to the best of my knowledge and grounds are based on legal advice and that I have not suppressed any material fact.

Date 18.04.2024

Place : Chennai

For உடுமலை விவசாயிகள்
பாதுகாப்பு சங்கம்

T. K. K. K. K. K.
தலைவர்

செயலாளர்

APPLICANT

Item No.06:**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI*****Thursday, the 18th day of July, 2024.***

(Through Video Conference)

Original Application No.132 of 2024 (SZ)**IN THE MATTER OF:****Udumalai Vivasayigal Paadhukapu Sangam**11/275, Puvi Iyarkai Pannai,
Thirumoorthy Nagar Post,
Udumalpet Taluk,
Tiruppur District - 642 112.

...Applicant(s)

Versus**1) The District Forest Officer**Anaimalai Tiger Reserve,
Udumalpet Taluk,
Tiruppur District - 642 301.**2) The District Collector**The District Collector's Office,
Tiruppur District - 641 604.**3) Thali Town Panchayat**Dhali Post,
Udumalpettal Taluk,
Tiruppur District - 642 126.**4) Vinayaga & Co.**S.F. No.186/1,
Possaripatti,
Dharapuram Main Road,
Pollachi, Tamil Nadu - 642 205.

...Respondent(s)

For Applicant(s): M/s. S. Karpagapriya, S. Roshan,
U. Gokulakrishnan, B. Pachaiyappan,
K.N. Arun Prasad and S. Saran Prasad,
Anoj Elangovan and Manne Ramya.

For Respondent(s): Dr. D. Shanmuganathan for State of Tamil Nadu.

CORAM:

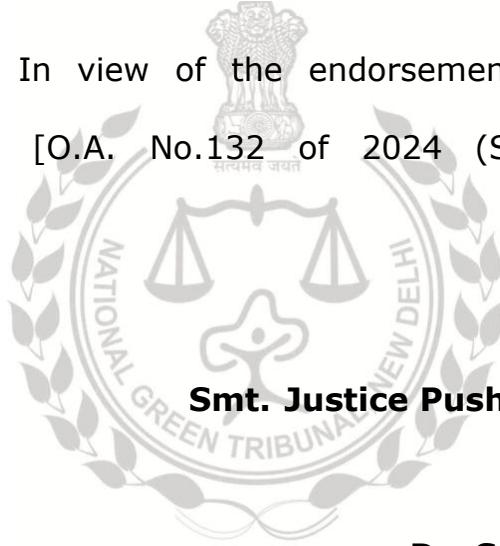
HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

ORDER

1. After arguing the matter for some time, Mr. Anoj Elangovan, the learned counsel appearing for the applicant decided to withdraw the application and made an endorsement to that effect.

2. In view of the endorsement made, this Original Application [O.A. No.132 of 2024 (SZ)] is dismissed as withdrawn.



Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

**O.A. No.132/2024(SZ)
18th July, 2024. Mn.**

NGT

IN THE HIGH COURT OF JUDICATURE AT MADRAS
[Special Original Jurisdiction]

WP. No. 24085 of 2024

D. Gowtham
S/o. Dhanamuthu
4/610 A, Kurinji Nagar
Veerapandi
Tiruppur - 641605

----- Petitioner

-Vs-

1. Union of India,
Represented by Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan
Jorbagh Road
New Delhi - 110 003
2. National Tiger Conservation Authority
B-1 Wing, 7th Floor, Pt. Deendayal Antyodaya Bhawan
CGO Complex
New Delhi-110003
3. Principal Chief Conservator of Forests & Chief Wildlife Warden,
Department of Forests, Govt. of Tamil Nadu
No.1 Jeenis Road, Panagal Buildings
Saidapet, Chennai -600015
4. Field Director,
Anamalai Tiger Reserve
Meenkarai Road
Akilandapuram
Pollachi - 642301
5. The District Collector, Tiruppur
District Collector's Office
Tiruppur - 641604
6. Executive Officer,
Thalli Town Panchayat
Dhali Post
Udumalpettai Taluk
Tiruppur District - 642126

----- Respondents



COMMON AFFIDAVIT OF GOWTHAM

I, Gowtham, Son of S/o. Dhanamuthu, aged 34 years, residing at 4/610 A, Kurinji Nagar, Veerapandi, Tiruppur - 641605, do hereby solemnly affirm and state as follows: -

1. I am an environmentalist and I am working for the cause of Environment, Forests and wildlife. I am filing this writ petition to protect the Anamalai Tiger Reserve. In the event the High Court finds that I have personal interest, it can dismiss the same as frivolous or vexatious and with exemplary costs. I state that I have not filed this Writ Petition for and behalf of a class of persons, hence the Rule 2 of Judicial Notification does not apply herein. I state that the present Writ Petition filed by me does not involve any civil disputes between individuals or related to any service matter. Herewith, I give an undertaking that I will pay the costs, if any, if it is found to be intended for personal gain or oblique motive. I am filing the instant Writ Petition out of my own funds. My annual income is around Rs.5,00,000/-. My Pancard No. is CAZPG0335F and my Aadhar No. is 9153 2177 5964. I state that I am filing this Writ Petition based on my own knowledge and information.
2. I state that Anamalai Tiger Reserve is situated in the Tamil Nadu part Western Ghats and lies to the south of Palakkad gap. Anamalai Tiger Reserve spans in three districts of Tamil Nadu, viz, Coimbatore, Tiruppur and Dindigul. I hail from Tiruppur District. Anamalai - Parambikulam Elephant Reserve also overlaps the Anamalai Tiger Reserve. Both the tiger reserve and the Elephant reserve are part of the Indira Gandhi wildlife sanctuary, which is a Global Biodiversity hotspot.
3. I state that Anamalai Tiger Reserve was declared as a tiger reserve in the year 2007. It is functioning under the aegis of the 2nd Respondent, which comes under the 1st Respondent. Anamalai Tiger Reserve is administered



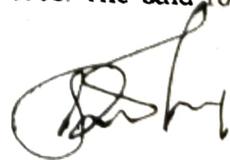
by the 4th Respondent who functions under the 3rd Respondent. The Anamalai Tiger Reserve possesses diverse fauna and flora. The Tiger Reserve supports diverse habitat types viz. wet evergreen forests, semi evergreen forests, moist deciduous, dry deciduous, dry thorn and shola forests. Other unique habitats like montane grass lands, savannah and marshy grass lands are also present. That apart, man-made teak plantations, exotics like eucalyptus, wattle, pines and deep fresh water ecosystem add to the diversity of the place. The place is also home to several endangered and threatened species of plants. The tiger reserve supports a healthy population of several (endangered and endemic) wildlife found nowhere else. There are around 2500 species of flowering plants, more than 70 species of fishes, 70 species of amphibians, 120 species of reptiles, 300 species of birds and 80 species of mammals.

4. I state that Anamalai Tiger Reserve is also an 'Anthropological Reserve' and it supports 6 indigenous people viz. Malasar, Malai malasars, Kadars, Eravallars, Pulayars and Muduvars.
5. I state that Anamalai tiger reserve encompasses a watershed for Palar River, a tributary of river Kaveri. Palar river reaches Tirumoorthy hills, where a dam exists at the foot of the hills.
6. I state that amidst the peaceful coexistence in the tiger reserve a villain has come by way of a 'road'. Recently, the 5th Respondent had sanctioned a new road from Tirumoorthy hills to Kurumalai, within the Anamalai Tiger Reserve, vide Na. Ka. No. 18280/2023/P1, dated 12.01.2024. Through the said sanction the 5th Respondent had permitted the 6th Respondent to lay road at the cost of Rs.49 Lakhs.
7. I state that although the current notification mentions just 3150 meters as the distance of the new road, the actual distance from Thirumoorthy hills to Kurumalai is about 8 kms. The 5th and the 6th Respondents in collusion are purposely showing a lesser distance between the said two points so as to overcome the regulations envisaged under the Forest



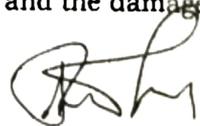
Conservation Act 1980. Under the said Act, clearance would be granted subject to the conditions that the activity should not exceed 1 hectare and that the felling of trees should not be more than 75 per Hectare. In the instant case if the actual distance is shown the clearance cannot be obtained under the said Act. Hence the 5th and the 6th Respondents have mentioned the wrong distance in the sanction order.

8. I state that the newly sanctioned road cuts across the core area (Critical Tiger Habitat) of the tiger reserve. Carving a road in a hill, especially in the western ghats, across a steep terrain would seriously harm the sensitive ecosystem of the Anamalai Tiger Reserve. Laying of roads in forest would fragment it and as a consequence would fragment the habitat of animals as well. This apart, the construction of road would lead to deforestation and also pose threat to wildlife. Constructing a road in a reserve area is a linear intrusion and the said intrusion would certainly affect the already endangered flora and fauna, including the Royal Bengal Tiger. As the area is also an Elephant Reserve, the new road would certainly crisscross the numerous wild animal corridors situated in the reserve and thereby affect the free movement of the elephants.
9. I state that slopes in that particular reserve forest where the road has been sanctioned has very high gradient, and if the hills are cut to make road, land slides would be of frequent occurrence. Moreover, since the gradient is too high the wild animals would not use the new road, and thereby its movement is highly restricted. Further, on the one side of the slope, runs the contour canal, in which the animals don't get into it. Thus the wild animals get trapped between the new road on the one side and the contour canal on the other side. This situation will increase the already existing man-animal conflict.
10. I state that there is no necessity for the formation of new road in the said area, as already there is an existing motorable road connecting Attakati with Kurumalai through Upper Aliyar. The said road is a concrete road which was re-laid recently at a cost of Rs. 12 crores. The said road



caters to the requirement of the people in and around the villages and the forest department.

11. I state that winding of new roads obviously leads to increased vehicular movement in the pristine reserve forest and this would adversely affect the forest and the environment. The new road will also be a boon to smugglers and poachers and to those exploiters of the forest resources. I submit that Ganja is cultivated in the core forest area, amidst the hills, and after the harvest they are illegally brought to the plains for trading. The sandalwood smugglers, poachers and Ganja cultivators are in desperate need for a road that helps them in their illegal nefarious business activities.
12. I state that laying of roads will give access to outsiders to those uninhabited forests lands which may be converted into farm lands and thereby agriculture activities would be carried out leading to more anthropogenic pressure on the forest.
13. I state that laying of new road though claimed to be in the interest of the local tribes and forest dwellers, it is in the interest of the particular section of people who wants to exploit the forests and to do illegal business with the support of the politicians. The new road would be advantageous to them in more than one way. Firstly, it would cut short the distance and time of travel. And, secondly, the new road would collapse the government agencies surveillance and monitoring system, as the existing road from Kurumalai to Aliyar via Attakati has three forest check posts and two police check posts.
14. I state that there is sufficient access to the necessities of life for the local tribes and forest dwellers through the existing road. Thus the new road is absolutely unnecessary and it is proposed and worked out just for the exploitation of the forest resources under the garb of tribal welfare.
15. I state that before sanctioning of the road the 5th Respondent had not considered the environmental implications of the project, and the damage



it would cause to the flora and fauna. Under the provisions of the Wildlife Protection Act, 1972, it is the National Board for Wildlife which has the power and authority to permit the laying of roads in a protected area. In the given instance the 5th Respondent even did not take clearance from the 3rd and the 4th Respondents herein.

16. I state that paving of new road apart from causing deforestation also leads to numerous problems, such as soil erosion, change in the water course, which in turn would affect the agricultural activity of the populace down below the hills and consequently their livelihood. The vehicular movement in the new road would also endanger the lives of wild animals which crosses the road in search of food, water and mate. It is noteworthy to mention here that this Hon'ble High Court and the Karnataka High Court have already banned the night traffic in existing roads passing through Mudumalai Tiger Reserve, Sathyamangalam Tiger Reserve and Bandipur Tiger Reserve. The new road would also pave way to more man-animal conflict.
17. I state that for laying of the road no forest clearance has been obtained under the Forest Conservation Act 1980. Still further, clearance under the said Act is subject to conditions that it should not exceed 1 hectare per activity and that felling of tree should not be more than 75 per Hectare. In the instant case if clearance had to be given the conditions ought to be surpassed, and therefore in effect no clearance could be given, or at all.
18. I state that the forest department and other wildlife NGOs are working around the clock to reduce the man-animal conflict on the Valparai plateau, but unplanned non-forestry activities within the Core areas of Anamalai Tiger Reserve are intensifying the conflict between humans and animals. The Anamalai Tiger Reserve is crucial in connecting the network of protected areas like Parambikulam Tiger Reserve, Ervikullam National Park, Chinnar wildlife sanctuary in Kerala and Manjampatti National Park, Kodaikanal wildlife sanctuary and southern western Ghats of Tamilnadu.



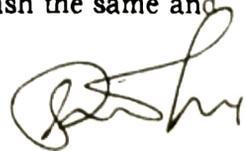
The Parmbikulam - Aliyar project (PAP), a major irrigation project in the state, mostly depend on the rivers that originate in the Anamalai Tiger Reserve. The above facts prove to show that how ecologically sensitive the area is and in the given facts and circumstances if a road is allowed to be carved in the said area, it would certainly be a death knell to the environment, forests and wildlife.

19. I state that in view of the forgoing and for the protection of the environment and forests it is just and necessary that the sanction order of the 5th Respondent, *vide* his proceedings in NA. KA. No. 18280/2023/1, dated 12.01.2024 needs to be quashed. I submit that it is well enshrined under Article 51A of the Constitution of India that it is the fundamental duty of every citizen to protect and improve the natural environment including forests and wildlife, and further Article 48 - A of the Constitution of India mandates that the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country.

20. I state that in the given facts and circumstances I don't have any other efficacious, effective and alternative remedy under the Act, or otherwise, except to invoke the jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.

For the aforesaid reasons, and pending disposal of the main Writ Petition, this Hon'ble Court may be pleased to forebear the 5th and 6th Respondents from constructing road from the base of Tirumoorthy Hills to Kurumalai in Udumalai Circle, within Dhali Municipality in Tiruppur District and pass such further or other orders as deem fit and proper in the facts and circumstances of the case and thus render justice.

For the aforesaid reasons and for any other grounds that may be raised during the course of the hearing, I respectfully pray this Hon'ble Court to issue a Writ of Certiorari and call for the records pertaining to Na. Ka. No. 18280/2023/1, dated 12.01.2024 on the file of the 5th Respondent and quash the same and



pass such further or other orders as deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed at Tiruppur on this 30th day of July, 2024, and signed his name in my presence

Before Me,

Advocate: Tiruppur



July 30/2024
T. THAMBIRAJ, B.A., B.L..
ADVOCATE & NOTARY PUBLIC,
3/254A, Velliampathi, Athiyur (Po),
Kunnathur - 638103.
Uthukuli Taluk, Tiruppur District.
Cell : 9600886739

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23

**MEMORANDUM OF WRIT MISCELLANEOUS PETITION
IN THE HIGH COURT OF JUDICATURE AT MADRAS**
[Special Original Jurisdiction]

WP. No. 24085
of 2024

D. Gowtham
S/o. Dhanamuthu
4/610 A, Kurinji Nagar
Veerapandi
Tiruppur - 641605

----- Petitioner

-Vs-

1. Union of India,
Represented by Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan
Jorbagh Road
New Delhi - 110 003
2. National Tiger Conservation Authority
B-1 Wing, 7th Floor, Pt. Deendayal Antyodaya Bhawan
CGO Complex
New Delhi-110003
3. Principal Chief Conservator of Forests & Chief Wildlife Warden,
Department of Forests, Govt. of Tamil Nadu
No.1 Jeenis Road, Panagal Buildings
Saidapet, Chennai -600015
4. Field Director,
Anamalai Tiger Reserve
Meenkarai Road
Akilandapuram
Pollachi - 642301
5. The District Collector, Tiruppur
District Collector's Office
Tiruppur - 641604
6. Executive Officer,
Thalli Town Panchayat
Dhali Post
Udumalpettai Taluk
Tiruppur District - 642126

----- Respondents

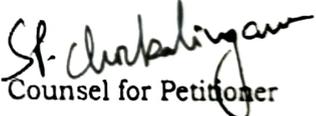
PETITION FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF
INDIA

The address for service of all the process and notices on the Petitioner is that of her Counsel, Mr. SP. Chockalingam & Ms. S. Sri Sangeeta at Room No. 18, 3rd Floor, Andhra Insurance Building, 323, Thambu Chetty Street, Chennai - 600001.

The address for service of all the process and notices on the Respondents is as stated above.

For the reasons stated in the accompanying Affidavit and for any other grounds that may be raised during the course of the hearing, it is respectfully prayed that this Hon'ble Court may be pleased to issue a Writ of Certiorari and call for the records pertaining to Na. Ka. No. 18280/2023/1, dated 12.01.2024 on the file of the 5th Respondent and quash the same and pass such further or other orders as deem fit and proper in the facts and circumstances of the case and thus render justice.

Dated at Chennai on this 8th day of August, 2024


Counsel for Petitioner

PIL

**IN THE HIGH COURT OF
JUDICATURE AT MADRAS**24085
WP.No. of 2024

D. Gowtham

----- Petitioner

-VS-

Union of India & 5 others

----- Respondents

**INDEX**T/c
w

Mr. SP. Chockalingam

Counsel for appellant

Enrol.No. MS/861/98

Cell No. 9840121245



W.P.No.24085 of 2024

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

There is an affidavit of one S.Ramasubramanian, I.F.S, affirmed on 13.9.2024, where serious allegations are made. It is stated that the proposed road poses a significant threat to the protected area. Though copy has been served on respondent Nos.5 and 6, no affidavit dealing with these allegations has been filed.

2. Shri Prabakar requests for a week's time to file an affidavit dealing with the allegations.

3. Shri Chockalingam states that, in the meanwhile, work has begun to pave the road.

4. Shri Prabakar states immediate instructions will be given to stop all work. Statement is accepted as an undertaking to this court.

5. We accept the word "immediate" to mean today itself – orally and



W.P.No.24085 of 2024

followed by written instructions before the end of the day.

6. Response, if any, be filed by petitioner and copy served by
21.3.2025.

Stand over to 27.3.2025.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ, J.)

06.03.2025

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29
IN THE HIGH COURT OF JUDICATURE AT MADRAS
(WRIT ORIGINAL JURISDICTION)

ANNEXURE 5

W.P.No. 24085 of 2024

D.Gowtham
Son of Dhanamuthu
4/610 A, Kurinji Nagar
Veerapandi
Tiruppur – 641 605.

.... Petitioner

- Vs-
1. Union of India
Represented by Minister of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan
Jorbagh Road
New Delhi – 110 003.
 2. National Tiger Conservation Authority
B-1 Wing, 7th Floor, Pt. Deendayal Anyodaya Bhawan
CGO Complex
New Delhi – 110 003.
 3. Principal Chief Conservation of Forest & Chief Wildlife Warden
Department of Forests, Govt. of Tamil Nadu
No.1, Jeenis Road, Panagal Buildings
Saidapet, Chennai – 600 015.
 4. Field Director
Anamalai Tiger Reserve
Meenakarai Road
Akilandapuram
Pollachi – 642 301.
 5. The District Collector, Tiruppur
District Collector's Office
Tiruppur – 641 604.
 6. Executive Officer
Dhali Town Panchayat
Dhali Post
Udumalpettai Taluk
Tiruppur District – 642 126.

.... Respondents

Signed before me
W.P. 24085/2024
R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
G.O.Ms.No:573/2023
8/101, Poombugar Nagar East, Pilladam Road,
Thonnamealavam, Tiruppur - 641 604.

[Signature]
DISTRICT COLLECTOR
TIRUPPUR

T P

30

COUNTER AFFIDAVIT FILED BY THE 5TH RESPONDENT

I, T.Christuraj I.A.S., S/o Mr.Thomas Frank, aged 47 years, presently serving as District Collector, Tiruppur District, Tiruppur do hereby solemnly affirm and sincerely state as follows:-

1. I am the 5th respondent herein and as such I am well acquainted with the facts and circumstances of the case from the available records
2. The present Writ Petition has been filed by the petitioner "to issue a Writ of Certiorari and call for records pertaining to Na.Ka.No.18280/2023/1 dated 12.01.2024 on the file of the 5th Respondent and quash the same and pass such further orders."
3. It is submitted that the writ petition as framed by the petitioner is neither maintainable on law nor on facts. It is a sheer abuse of process of Court. Having made unsubstantial allegations against us is unfair on the part of the petitioner which warrants condemnation from this Hon'ble Court. As a matter of fact, I respectfully submit that the Writ Petition deserves to be dismissed in limini in eye of law.
4. I submit that, I have gone through the affidavit filed by the Writ Petitioner herein in support of the above Writ Petition. All the averments contained therein, except those that are specifically admitted hereunder, are denied as false and incorrect and the Writ Petitioner is put to strict proof of the same.
5. At the outset, I respectfully submit that the writ petitioner had not narrated the true facts before this Hon'ble Court. The Writ petitioner in his affidavit had stated false and frivolous allegations. These averments of the petitioner are stoutly denied. The Writ Petitioner has nothing to do with the Dhali Town Panchayat, Udumalpettal Taluk, Tiruppur District. I respectfully submit that the writ petitioner is the resident of the Veerapandi Village in Tiruppur South

Signature
W. K. 12/05

R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
G.O.No:673/2023
B/101, Poombuvar Nannar East, Palladam Road

Signature
DISTRICT COLLECTOR
TIRUPPUR

Taluk, Tiruppur District which is around 80 Km away from the Dhali Town Panchayat and he does not know the actual process of forming road.

6. I respectfully submit that the 6th respondent, Town Panchayat contains 17 Wards and the Ward No. 16 and 17 are covered under Aanamali Tiger Reserve and in Ward No.16 - Kurumalai Settlement, Melkurumalai Settlement and Poochikottamparai Settlement Tribal residing areas coming under Ward No.16 in Dhali Town Panchayat and more than 450 people are residing there and there is no other connectivity roads for above tribal area. Formation of this road in the Forest Settlement Area (FSA's) reduces the travelling distance of Forest Dwellers from 60 Kms to 5 Kms which is an very important need for people in Forest Settlement Area(FSA's) who are going for Medical emergency treatments (which includes pregnant mothers and ailing patients- Newspaper clippings submitted).

7. I submit that the present project to lay mud road is mooted only on the protest made by the tribal/local people from time to time, demanding government for construction of road, to enable them to access the hospital, schools and other vital areas, as it is crucial for their livelihood and in pursuant to the protest of the tribal/local people the Government had taken the earnest measures to construct mud road in the subject forest land.

8. I submit that the subject mud road is permissible activity as envisaged under the section 3 (2) Forest (Conservation) Act, 2006 which is extracted below for immediate reference :

Chapter I - section 3(2) states,

"Notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversion of forest land for the following facilities managed by the Government which involve felling of trees not exceeding seventy-five trees per hectare, namely:-

(a) schools;

R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
O.O.No.573/2023

[Signature]
DISTRICT COLLECTOR,
TIRUPPUR

- (b) dispensary or hospital;
- (c) anganwadis;
- (d) fair price shops;
- (e) electric and telecommunication lines;
- (f) tanks and other minor water bodies;
- (g) drinking water supply and water pipelines;
- (h) water or rain water harvesting structures;
- (i) minor irrigation canals;
- (j) non-conventional source of energy;
- (k) skill up-gradation or vocational training centers;
- (l) roads; and
- (m) community centers:

Provided that such diversion of forest land shall be allowed only if, -

- (i) the forest land to be diverted for the purposes mentioned in this subsection is less than one hectare in each case; and
- (ii) the clearance of such developmental projects shall be subject to the condition that the same is recommended by the Gram Sabha."

9. It is submitted that since the area required is not more than 1 Hectare and number of trees to be fell down is not more than 75 Numbers this road meets the criteria and conditions imposed by Scheduled Tribes and Other Traditional Forest Dwellers(Recognition of Forest Rights)Act 2006 and in addition to the same, as per the above Act the Ward Level Committee and

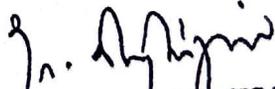
S. Subramanian
1.4
21/04/2023

R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
G.O.Ms.No:573/2023
8/101, Poombugar Nagar East, Pnlladam Road,
Thennampalayam, Tirupur - 641 604.

[Signature]
DISTRICT COLLECTOR
TIRUPPUR

Grama Sabha Committee, a resolution has been submitted in the Taluk Level Committee and based on the same the Dhali Town Panchayat passed a resolution to form Road from Thirumoorthi Road to Kurumalai Settlement in Resolution No.26/2022 dated 11.04.2022, which in compliance to the provisions as stipulated under Section 3 (2) of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 and subsequently, the District Forest Officer, Tiruppur has given oral consent on 23.12.2022 and acting upon the consent the Surveyor of Dhali Town Panchayat surveyed the land with aid and protection of the Forest Department.

10. While the facts remains the same, It is respectfully submitted that Ministry of Tribal Affairs, Government of India, in its letter No. 23011/15/2008-SG.II dated May 18, 2009 has laid the procedure for seeking prior approval for diversion of forest land for non-forest purposes for the facilities managed by the Government under section 3(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. Where in the procedure mandates that every user agency shall make application for proposal under section 3(2) of Forest Right Act 2006 in 'Form A' after getting recommendation from Gram Sabha. Followed by it, the range officer shall make inspection and will submit the inspection report in 'form B'. Thereafter, the concerned DFO will consider it and will accord the approval. In case concerned DFO does not give approval, the district level committee under forest right act may take a final decision, however in the present case, it is true that DFO approval was not obtained, however following the due process of law, a resolution bearing Na.Ka.No.8421/2009K9 dt 14.07.2023 was passed by the District Level Committee, wherein, it was decided to construct new road for the welfare of the people.


DISTRICT COLLECTOR
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Sigra babu
K.V.
02/04/20

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Advocate & Notary
G.O.No:573/2023
8/101, Poombugar Nagar East, Polladam R-1,
Tiruppur - 641 604

Subsequently, the Deputy Director, Anamalai Tiger Reserve, Udumalpet vide Proc.No.4200/2023/D1 dated 13.02.2025, as per the recommendations of the Forest Range Officer, Udumalpet, orders under the section 3(2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, for the diversion of 0.992 hectare of forest land for the formation of road in the subject forest land and the same was permitted with conditions Nos.1 to 16.

12. It is submitted that the above factum proves and confirms that the Respondent/Government had taken earnest steps to comply as contemplated in the Act, to laydown the mud road in the subject land and on the strength of a resolution bearing Na.Ka.No.8421/2009K9 dt 14.07.2023 was passed by the District Level Committee, the Respondent/Government proceeded to lay the roads for the benefits of public at large.

13. It is further submitted that the present mud road is being layed on the existing Coup road for the purpose and benefit of public at large. The present mud road is proposed to be constructed for 3150 km length and 3.15 meters width and the total area of 0.992 hectares were only required for construction of mud road and it would be relevant to state that the diversion of forest land is allowed as such the subject project involves only 0.992 hectares of land and only about 65 trees were only cut down for/to construct the proposed the mud road.

14. It is humbly submitted that all the necessary permissions were obtained for constructions of mud road, having said that, the Respondents began to construct the roads by following the norms contemplated in the said acts and it is necessary and relevant to state that, during filed inspection, the local residents/tribe of the Forest Settlement Areas appraised the Respondents that since 1849 there was existing coup road in the place

W. Y. 02/04/2025
R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
G.O.Ms.No:573/2023
8/101, Poombugar Nagar East, Palladam Road,
Thennampalayam, Tirupur - 641 604.

[Signature]
DISTRICT COLLECTOR
TIRUPPUR

where proposed mud road were about to be constructed. Wherein, the coup road which are crucial for connecting different parts of the forest and facilitating the movement of equipment and resources and it is imperative to state that the proposed roads in the subject forest area is not a mud road, but in fact, it is a mud road which is about to be overlaid in the existing coup road, which were been in existence for more than 17 decades, the very fact is being suppressed by the Petitioner, which is highly untenable before the eyes of law.

15. It is humbly submitted that since the area required is not more than 1 hectare and number of trees to be fell down is not more than 75 Numbers this mud road meets the criteria and conditions imposed by Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, which doesn't compels the Respondents/authority to file any application viz Parivesh Portal for environmental clearance and it is pertinent to state that for any development project it is necessary to obtain a green clearance and the same should be mooted only through Parivesh Portal, however, in the present case, the subject project doesn't falls under the ambit of the Parivesh Portal for environmental clearance. The Respondent/Government on abundant caution as per the conditions in the proceedings of Deputy Director, Anamalai Tiger Reserve, Udumalpet, the Respondent/Government had taken the necessary steps for environmental clearance through the Parivesh portal vide Reference Proposal Number: WL/TN/SRY/1524814/2025 & Single Window Number: SW/235700/2025 dated 19.02.2025 and the same is pending as on date.

16. I submit that under Section 3(2) of Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest) Act 2006 the form A, Maps, Estimations, Resolution passed by the Dhali Town Panchayat and

Signed before me
19/02/2025
R. RAGUPATHY, B.A., B.L.,
 Advocate & Notary
 G.O.No:573/2023
 0/101, Perambalur Nagar East, Palani Taluk

[Signature]
DISTRICT COLLECTOR
TIRUPPUR

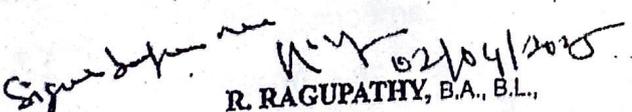
resolution of Forest Rights Committee was sent to the District Forest officer, Tiruppur.

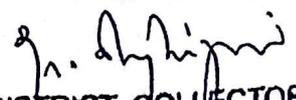
17. It is pertinent to state that Section 3(2) of Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest) Act 2006 exempts developmental activities from the Forest Conservation Act 1980 only.

The section 13 of Forest Rights Act 2006 is excerpted here "Save as the otherwise provided in this Act and the Provisions of the Panchayats (Extensions to the Scheduled Areas) Act, 1996 (40 of 1996), the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force."

18. I submit that subject forest diversion for facilities in Protected areas (National Park, Sanctuaries, Tiger Reserves) under Section 3 (2) of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 do not require wildlife clearance as these forest diversion are not under Forest Conservation Act, 1980 being exempted from Forest Conservation Act, 1980 and it would be relevant to state that any denial of public facilities under section 3 (2) of Forest Conservation Act, 1980 within the protected areas or outside the protected areas shall amount to atrocities, interference with rights including rights over forest vide under section 3 (1)(g) of the scheduled castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

19. I further submit that as stated above, the ward 16 consists of Kurumalai Settlement, Melkurumalai Settlement and Poochikottamparai Settlement Tribal consisting of around 450 residents who are facing numerous hindrances to meet their basic amenities. It is pertinent to state that there are only primary schools available and if the children wish to


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8/101, Poombugar Nagar East, Pilladam Road,
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Cell : 94433 45774


DISTRICT COLLECTOR
TIRUPPUR

continue their education after 5th standard they have to travel 60Kms to reach Coimbatore District for further education.

20.1 further submit that the residents are facing a lot of problems which cannot be tackled without proper transportation facilities. With the fast developing environment they are lagging basic amenities such as sanitation, education, technology and so on. Further the pregnant mothers and old age people cannot reach the Hospitals at Coimbatore District within time during Medical emergency and it ends up in tragic incidents which is not known to the petitioner and as they are not the residents of this particular region and unaware of the pain experienced by the people in Forest Settlement Area (FSA's)

21.1 further submit that based upon the 15th Finance Commission for the year 2022-2023 it was decided to extend the pipelines for this settlement area and fund was allotted on subsidiary basis and as their demand for laying mud road to meet their needs was not implicated in an outrageous act the residents of the settlement area raised their grief and performed dharna from 12.07.2023 till 26.7.2023 in front of Forest Department, Udumalaipettai.

22.1 further submit that the people of Dhali Town Panchayat and the settlement area made 'dharna' in front of Forest Department, Udumalaipettai only because no objection certificates were not issued for the above stated demands of the residents of those areas and as an outcome of it the concerned officials gave their oral consent for it on 26.07.2023 which was a big relief to those residents.

23.1 further state that only after verifying the documents concerned and ascertaining the facts and provisions of concerned act in the proper perspective the concerned officials, passed the orders to help the residents of the area as they demanded it as their right under Article 21 of the Constitution to have basic amenities. But unaware of all these

W.V.
02/09/2023
R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
G.O.Ms.No:573/2023
A/101 Pombucar Nanar East, Pnlladam Road,

J. S. Srinivasan
DISTRICT COLLECTOR
TIRUPPUR

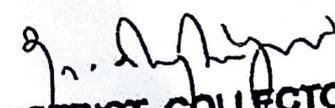
facts the petitioner has come up with this petition with an ulterior motive without unknowing the pain endured by those residents as he himself is not a resident of that area.

24. I further submit that there will not be any ecological imbalance in laying of the road, I further submit that petitioner has stated that agricultural act has been carried out which would deploy the forest but it is pertinent to mention that it has been carried out only for the livelihood of the residents and not of commercial interest.

25. I respectfully submit that, in compliance of the interim order dated 06.03.2025 passed in the above write petition stop work order was issued to the 6th respondent herein

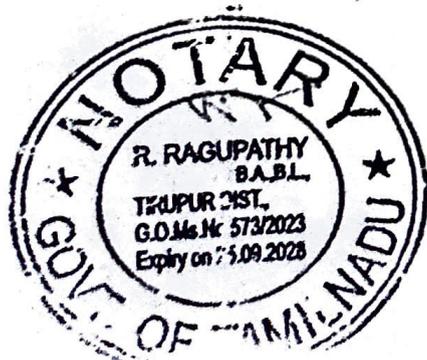
It is therefore humbly prayed that this Hon'ble Court may be pleased to **VACATE THE INTERIM ORDER OF STAY** dated 06.03.2025 made in the W.P.No.24085 of 2024 and W.M.P.No. 26334 of 2024 and thus render justice.

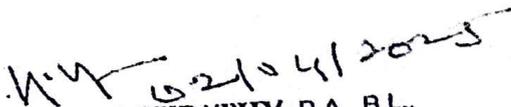
In light of the above facts and circumstances, it is humbly prayed that this Hon'ble Court may be pleased to dismiss the Writ Petition in W.P.No.24085 of 2024 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.


**DISTRICT COLLECTOR
TIRUPPUR
BEFORE ME**

Solemnly affirmed at Tiruppur and signed in my

Presence on this ¹2nd day
of ^{April} March 2025




R. RAGUPATHY, B.A., B.L.,
Advocate & Notary
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