

I was surprised at the sweep of the judgement  
T N Godavarman Thirumulpad

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DOWN TO EARTH  
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*T N GODAVARMAN THIRUMULPAD  
filed a writ petition in 1995, which led the  
Supreme Court to ban all kinds of felling in  
any state without prior permission from the  
Union government. He lives a life away  
from the spotlight today as president of  
a hanky and an honorary receiver  
overseeing the partition of his ancestral  
properties. Thirumulpad speaks to  
SURENDRANATH C about a life  
inextricably linked to the ecological  
history of the Nilgiris*



AJEEB KOMACHI

***'I was surprised at the  
sweep of the judgment'***

Was your public interest litigation (PIL) in the Supreme Court sparked off by any particular incident?

I was travelling through Gudalur and saw large areas of forests being felled and timber logs stacked up for sale. These forests at one time belonged to my family, the Nilambur Kovilakam. The ecological history of the Nilgiris has always been closely linked to the history of the Nilambur Kovilakam.

The trees were being felled in violation of various legislations and rules. Besides, the contractors who obtained permission for felling these trees remitted only Rs 1,000 to the district collector for 50 logs of rosewood. I spoke to a lawyer-friend, A S Nambiar, in order to figure out a way to stop these unlawful activities. Nambiar drafted a petition based on what I told him.

When the matter eventually came up before justices J S Verma and B N Kirpal, the court stayed the felling of trees in all of the Nilgiris. Even I was taken by surprise at the sweep of the judgment. There was quite a hullabaloo about the judgment. Small growers, planters, factory owners and laypersons from Ooty came up with petitions against the stay order. I began to feel that I had bitten off more than I could chew. Nambiar then assured me that the Supreme Court had taken up the matter as it's own.

Did you attend any of the hearings in court?

It was impossible to enter the courtroom. There were over 2,000 people in court: standing counsels for the states, advocates, their assistants, estate owners, individual petitioners and so on. The court couldn't proceed, thanks to the crowd, and the judge asked everyone other than the advocates to leave. Then, in the afternoon, in court, some plantation owners and members of planters' associations approached and asked whether we could strike a compromise. I refused, saying, "This is not my case alone anymore."

**The Supreme Court litigation was not the first case you filed...**

I had filed a writ petition in the High Court of Kerala to stop the Pandiar-Punnappuzha Project (PPP), which was to be built over the tributaries of river Chaliyar. I knew the Chaliyar very closely. I remember the times I swam across the river in my youth. It was the lifeline of Gudalur and Nilambur.

The project would have submerged 1,000 hectares (ha) of rainforests and 800 ha of cultivated lands. It would have fragmented important elephant corridors in the Nilgiris Biosphere Reserve (NBR) and displaced 2,500 tribal families. The plan was also to dig a 27 kilometre-long canal through the core area of the Mudumalai Wildlife Sanctuary

and to divert half of the water in Chaliyar to Moyar and Bhavani in Tamil Nadu. Though the project has been shelved, clandestine diversion of water is still going on. The majestic Chaliyar river is inextricably linked to my youth and childhood, and I can't help feeling for it.

**Were there any specific protective measures in force when the Kovilakam controlled forestlands?**

Nothing really. Under the tenancy system, households were given vast tracts of land for cultivation, often as large as 200-300 ha. The tenant could cut trees only if there was a genuine need — building a hut or for firewood — and only the minimum required for the need. Even this was done under the supervision of the Kovilakam staff.

In Ayurveda there is a saying: "Ten wells equal a pond, 10 ponds an *aeri* (lake), and 10 *aeri* a son." Words illustrative of the relationship between water and life. Traditional wisdom stresses on the importance of natural resources in human life.

We also tried to learn modern lessons in forestry. A *karanavar* (eldest member of a family) of the Kovilakam was a gold medallist in forestry. However, he preferred governing the Kovilakam forests to joining government service. Such is the relationship between the Kovilakam and the Nilgiris!