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Supreme Court Orders Clean-Up of the Agasthyamalai Landscape

31 May 2026 ·

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Supreme Court Orders Clean-Up of the Agasthyamalai Landscape

31 May 2026 · 4 min read ·

✓ Every fact web-verified against primary sources

On May 29, 2026, the Supreme Court (Justices Vikram Nath and Sandeep Mehta), in *A. John Kennedy & Ors v. State of Tamil Nadu & Ors* (2026 INSC 605), ordered a time-bound plan to evict 4,601 encroachers from 5,072.65 hectares of the Agasthyamalai ecological landscape in the Western Ghats, directed the closure of illegal resorts in the Megamalai area, and ordered disciplinary and legal action against 118 serving and retired government servants identified as encroachers.

WHERE IS THE AGASTHYAMALAI LANDSCAPE?

PARAMETER	DETAIL
Location	Southern Western Ghats, spanning Tamil Nadu and Kerala
Biosphere Reserve	Agasthyamalai Biosphere Reserve — designated a UNESCO World Network of Biosphere Reserves member (2016)
Highest peak	Agastya Mala (~1,868 m)
Protected areas within	Kalakad-Mundanthurai Tiger Reserve (KMTR), Srivilliputhur-Megamalai Tiger Reserve, Kanyakumari Wildlife Sanctuary (TN side); Neyyar, Peppara, Shendurney sanctuaries (Kerala side)
Ecological value	Part of the Western Ghats — a UNESCO World Heritage Site and one of the world’s eight “hottest” biodiversity hotspots
Hydrological role	Catchment for the Tamiraparani and other rivers; a key water tower of the southern peninsula

WHAT THE COURT ORDERED

- Time-bound eviction** — Tamil Nadu to prepare and implement a plan to remove 4,601 encroachers occupying 5,072.65 ha.

- ❷ **Demolish illegal infrastructure** — shut and dismantle illegal **resorts, commercial establishments, and tourism infrastructure** in the **Megamalai** area and other forest lands; **disconnect electricity** to such encroachments.
- ❸ **Map and digitise boundaries** — the **Forest Survey of India (FSI)** to **geo-reference and digitise** the boundaries of **KMTR, Srivilliputhur-Megamalai TR, and Kanyakumari WLS** within **six months**.
- ❹ **Accountability** — disciplinary and legal action against **118 serving and retired government servants** who were themselves encroachers.
- ❺ **Enforcement backstop** — paramilitary deployment if states fail to comply.
- ❻ **Monitoring** — the **Central Empowered Committee (CEC)** to submit its next report by **August 28, 2026**; matter listed for **September 1, 2026**.

THE LEGAL-CONSTITUTIONAL BACKBONE

Public Trust Doctrine

The Court reaffirmed that **forests and protected areas are held by the State in trust for the public** and cannot be alienated to private encroachers. The doctrine entered Indian **jurisprudence** via *M.C. Mehta v. Kamal Nath* (1997).

Central Empowered Committee (CEC)

PARAMETER	DETAIL
Origin	Constituted by the Supreme Court (2002) in the <i>T.N. Godavarman</i> forest case
Status	Reconstituted as a statutory body by MoEFCC notification (2023)
Role	Monitors compliance with SC orders on forests, wildlife, and environment

Key Statutes Implicated

- **Forest (Conservation) Act, 1980** (now Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980) — diversion of forest land needs central clearance.
- **Wildlife (Protection) Act, 1972** — governs tiger reserves and sanctuaries.
- **Article 21 (right to a healthy environment)** and **Article 48A / 51A(g)** (environmental duties).

WHY THIS JUDGMENT MATTERS

- ❶ **Executive inertia, judicial enforcement** — the order is a classic example of the judiciary stepping in where state forest administration failed, even implicating government servants themselves.
- ❷ **Western Ghats protection** — adds to a long line of cases (Gadgil/Kasturirangan reports, ESA notifications) seeking to shield the Ghats from **encroachment** and unregulated tourism.
- ❸ **Tiger-reserve integrity** — clear boundary demarcation (FSI digitisation) is a prerequisite for protecting KMTR’s tiger population and corridor connectivity.
- ❹ **Tourism vs ecology** — the Megamalai resort closures highlight the tension between high-altitude tourism economies and fragile ecosystems.

UPSC RELEVANCE

PAPER	RELEVANCE
GS3	Environment — protected-area management, Western Ghats, biodiversity hotspots, forest law
GS2	Polity — judiciary’s role, public-trust doctrine, CEC, centre-state environmental governance
Mains	“Judicial activism has repeatedly filled the gap left by executive failure in protected-area governance. Critically examine with recent examples from the Western Ghats.”
Prelims	Agasthyamalai (TN + Kerala, Western Ghats); KMTR; CEC (2002, statutory 2023); biodiversity hotspot; public-trust doctrine (M.C. Mehta v. Kamal Nath, 1997)

FACTS CORNER

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SC AGASTHYAMALAI ORDER (MAY 29, 2026):

Case: A. John Kennedy v. State of Tamil Nadu (2026 INSC 605)

Bench: Justices Vikram Nath & Sandeep Mehta

Eviction: 4,601 encroachers from 5,072.65 ha

118 govt servants face disciplinary/legal action

FSI to digitise reserve boundaries in 6 months

CEC report by Aug 28; next hearing Sept 1, 2026

AGASTHYAMALAI LANDSCAPE:

Western Ghats, across Tamil Nadu + Kerala

Peak: Agastya Mala (~1,868 m)

Biosphere Reserve (UNESCO WNB, 2016)

Protected areas: KMTR, Srivilliputhur-Megamalai TR, Kanyakumari WLS

WESTERN GHATS:

UNESCO World Heritage Site

One of the world's 8 "hottest" biodiversity hotspots

CENTRAL EMPOWERED COMMITTEE (CEC):

SC-constituted (2002) in T.N. Godavarman case

Made statutory by MoEFCC (2023)

PUBLIC TRUST DOCTRINE: M.C. MEHTA V. KAMAL NATH (1997)

Sources: *The Hindu*, *Bar and Bench*, *Supreme Court of India*

Source: Supreme Court Orders Clean-Up of the Agasthyamalai Landscape — Ujiyari.com | Free UPSC & State PCS Current Affairs

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