



W.P(MD)No.7980 and 7981 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

**W.P(MD)No.7980 and 7981 of 2022
and
WMP (MD) Nos.5972, 5973 and 5975, 5976, 5978 of 2022**

1.Phoenix Fly Ash Bricks
Manufactures Association
Rep. by its Treasurer
K.R.Venkatesh Babu

2.Modern Bricks
Rep. by its Managing Director
K.R.Venkatesh Babu

3.K.R.Venkatesh Babu

4.R.K.Prabhu

5.P.Ramathilakam

6.P.Kalirajan

7.K.Umamaheshwari

... Petitioners
in both WPs

VS.



W.P(MD)No.7980 and 7981 of 2022

WEB COPY

1. Union of India,
Rep. by its Deputy Director,
Ministry of Environment and Forest,
146, Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi.
2. The Tamil Nadu Generation and Distribution
Corporation Limited
(TANGEDCO),
Rep. by its Chairman,
144, Anna Salai,
Chennai- 600 002.
3. The Tamil Nadu Pollution Control Board,
Rep. by its Regional Officer/ Director,
Anna Salai, Guindy,
Chennai- 600 032.
4. Tuticorin Thermal Power Station,
Rep. by Managing Director,
Harbor Estate,
Tuticorin Beach Road,
Salt Pans,
Thoothukudi,
Tamil Nadu- 628 004.
5. NTPL Thermal Power Station,
Rep. by Managing Director, Harbour
Estate, Tuticorin- 628 004.

... Respondents
in both WPs

PRAYER in WP(MD) No.7980 of 2022: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing



W.P(MD)No.7980 and 7981 of 2022

the 4th and 5th Respondents to continue to supply 20 percent ESP fly ash generated by them, free of charge, to the members of the 1st petitioner association.

PRAYER in WP(MD) No.7981 of 2022: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration, declaring that the notification dated 31.12.2021 issued by the 1st respondent bearing S.O. 5481 (E) is arbitrary and violative of Article 14, 19(1)(g), 48A and 51A(g) of the Constitution of India, in so far as it omits the mandate cast upon Thermal Power Plants (4th and 5th Respondents) to supply at least 20 percent ESP fly ash generated by them, free of charge, to manufactures of ESP fly ash based bricks, block, tiles, such as the petitioners.

For Petitioner	: Mr.R. Parthasarathy (in both WPs)
For Respondents	: Mr.V.S.Karthi CGSPC, (R1)
	: Mr.S.Deenadhayalan (R2)
	: Ms,Madhuri Donti Reddy (R3) (in both WPs)

COMMON O R D E R

(Order of the Court was made by M.DHANDAPANI, J.)

The learned counsel appearing for the petitioners would submit that these writ petitions have been filed challenging the notification bearing S.O. No. 5481(E), dated 31.12.2021 and consequently, seeking a Writ of Mandamus



W.P(MD)No.7980 and 7981 of 2022

directing respondents 4 and 5 to continue to supply 20% of the ESP fly ash generated by them, free of cost, to the members of the first petitioner Association.

2. The learned counsel would further submit that, subsequent to the issuance of another notification in the year 2021, similarly situated persons have approached the National Green Tribunal (NGT) by filing an appropriate application challenging the said notification and accordingly, seek liberty for the petitioners to approach the NGT.

3. Granting such liberty, these writ petitions stand closed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[M.D.I.,J.] & [N.D.K.,J.]
19.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



W.P(MD)No.7980 and 7981 of 2022

WEB COPY To

1. Union of India,
Rep. by its Deputy Director,
Ministry of Environment and Forest,
146, Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi.
2. The Tamil Nadu Generation and Distribution
Corporation Limited
(TANGEDCO),
Rep. by its Chairman,
144, Anna Salai,
Chennai- 600 002.
3. The Tamil Nadu Pollution Control Board,
Rep. by its Regional Officer/ Director,
Anna Salai, Guindy,
Chennai- 600 032.
4. Tuticorin Thermal Power Station,
Rep. by Managing Director,
Harbor Estate,
Tuticorin Beach Road,
Salt Pans,
Thoothukudi,
Tamil Nadu- 628 004.
5. NTPL Thermal Power Station,
Rep. by Managing Director, Harbour
Estate, Tuticorin- 628 004.



WEB COPY



W.P(MD)No.7980 and 7981 of 2022

M.DHANDAPANI, J.
and
N.DILIP KUMAR, J.

PKN

W.P(MD)Nos.7980 and 7981 of 2022

19.08.2026