

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30..04..2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice T.S.SIVAGNANAM

W.P.No.13852 of 2015
and M.P.Nos.1 and 2 of 2015

V.Sundar

.. Petitioner

versus

1.Union of India,
represented by The Secretary to Government
Ministry of Environment and Forest,
Payawaran Bhawan, CGO Complex,
Lodi Road, New Delhi 110003.

2.State of Tamil Nadu
represented by the Secretary to Government
Environment and Forest Department,
Secretariat, Fort.St.George, Chennai 600 009.

3.State Level Environment Impact Assessment Authority,
Panagal Maligai,
No.1, Jeenis Road, Saidapet,
Chennai 600 015.

4.The Tamil Nadu Pollution Control Board,
represented by its Chairman
G.S.T.Road, Guindy,
Chennai 600025.

5.The District Environment Engineer (Chennai District)
Tamil Nadu Pollution Control Board,
950/1, Poonamallee High Road,
Arumbakkam, Chennai 600106.

6.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1,Gandhi Irwin Saalai, Egmore,
Chennai 600 008.

7.The Zonal Health Officer,
Corporation of Chennai (Zone 13)
No.115, Opposite to Adyar Ananda Bhavan Sweets,
Dr.Muthulakshmi Salai, L.B.Road, Adyar,
Chennai 600 020.

8.Inspector of Police
Adyar Police Station, Adyar,
Chennai 600 020.

9.The Tamilnadu Generation and Distribution Corporation Ltd.,
represented by its Chairman,
No.800, Anna Salai,
Chennai 600002.

10.M/s.Vicoans Infrastructure and Environment Engineering
Private Limited,
No.16/17, 3rd Cross Street,
Raja Annamalaipuram,
Chennai 600028.

11.M/s.True Value Homes India Private Limited,
No.21, C.V.Raman Road,
Alwarpet, Chennai 600 020.

12.National Green Tribunal
represented by the Registrar,
Southern Zonal Bench,
No.950/1, 1st, 2nd and 3rd Floor,
TNPCB Building, Poonamallee High Road,
Arumbakka, Chennai 6000106.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issue of a writ of Certiorari, calling for the
records comprised in the order dated 25.03.2015 passed by the 12th
respondent in Appeal No.95 of 2014 (SZ) filed by the petitioner and
quash the same as being arbitrary, unreasonable and unconstitutional
and consequently allow the Appeal No.95 of 2014 (SZ).

For Petitioner ::: Ms.Revathi M.Kannan
For Respondents ::: Mr.Su.Srinivasan
Assistant Solicitor General for R.1
Mr.S.T.S.Murthy
Government Pleader for R.2, R.3 and R.8
Mr.K.Rajasrinivas for R.6
Mr.K.Soundararajan for R.7

O R D E R

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

In view of the Judgment of the Honourable Supreme Court in Civil Appeal No.7400 of 2013 (Union of India and Others vs. Major General Shri Kant Sharma and another) decided on 11.03.2015, the remedy of the petitioner would be met only by appeal under Section 22 of the Green Tribunal Act, 2010.

2.The writ petition accordingly stand dismissed as maintainable. No costs.

3. The original certified copy of the impugned order be returned to the petitioner on the petitioner replacing the same with the photocopy.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ksr
To

1.The Secretary to Government,
Union of India,
Ministry of Environment and Forest,
Payawaran Bhawan, CGO Complex,
Lodi Road, New Delhi 110003.

2.The Secretary, State of Tamil Nadu
Environment and Forest Department,
Secretariat, Fort.St.George, Chennai 600 009.

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10.The Registrar,
National Green Tribunal
represented by the Registrar,
Southern Zonal Bench,
No.950/1, 1st, 2nd and 3rd Floor,
TNPCB Building, Poonamallee High Road,
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copy to:

The Section officer (cs)/writ,
High Court, Madras-104

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