

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.27635 of 2011

G.Kumaresan

.. Petitioner

-vs-

- 1.The Union Territory of Puducherry,
Rep. by its Chief Secretary,
Puducherry.
- 2.The Director,
Pondicherry Pollution Control Board,
Puducherry.
- 3.The Director,
Centre for Pollution Control and
Energy Technology, Pondicherry
University, Kalapet, Puducherry.
- 4.The Government of Puducherry,
Dept. Of Science, Technology &
Environment, 3rd Floor, Housing
Board Complex, Anna Nagar, Puducherry.
rep. by its Member Secretary.
- 5.Secretary to Government,
Union Territory of Puducherry
Dept. Of Agriculture, Puducherry.
- 6.Director,
Food, Drugs Administration,
Puducherry.
- 7.Puducherry Coastal Zone Management
Authority, Puducherry.
- 8.The District Collector,
Puducherry.
- 9.M/s.Chemfab Alkalies Limited,
Rep. by its Chairman,
Gananda Place, Kalapet, Puducherry.

10.M/s.Shasun Chemicals & Drugs Ltd.,
Rep. by its Chairman.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 8 to take necessary steps to close down the 2 units, M/s.Chemfab Alkalies Ltd and M/s.Shasun Chemicals and Drugs Ltd., 9th and 10th respondents, for their violation of Pollution Acts.

For Petitioner : M/s.S.Hemalatha

For Respondents : M/s.N.Mala
AGP (P), for RR1 to 8
: Mr.D.Ravichander for R-9
: No appearance for R-10

O R D E R

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

The petitioner seeks a direction against respondents 1 to 8 to take necessary steps to close down the 9th and 10th respondent units for alleged violation of various acts dealing with the pollution control norms.

2.Learned counsel for respondent no.9 as well as learned Additional Government Pleader (Puducherry) for respondents 1 to 8, on the other hand, point out that post inspection, clearances have already been issued to respondents 9 and 10. A recent development in 2014 is stated to be the filing of certain applications before the Bench of the National Green Tribunal, where also inspection has been carried out.

3.We are, thus, of the view that if the concerned authorities have issued the requisite permissions, there cannot be any impediment created in the working of the 9th and 10th respondent units, under the guise of the Public Interest Litigation.

4.Writ petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Chief Secretary,
Union Territory of Puducherry, Puducherry.
- 2.The Director,
Pondicherry Pollution Control Board,
Puducherry.
- 3.The Director,
Centre for Pollution Control and
Energy Technology, Pondicherry
University, Kalapet, Puducherry.
- 4.The Member Secretary, Government of Puducherry,
Dept. Of Science, Technology &
Environment, 3rd Floor, Housing
Board Complex, Anna Nagar, Puducherry.
- 5.Secretary to Government,
Union Territory of Puducherry
Dept. Of Agriculture, Puducherry.
- 6.Director, Food, Drugs Administration, Puducherry.
- 7.Puducherry Coastal Zone Management
Authority, Puducherry.
- 8.The District Collector, Puducherry.

1 cc to Government Pleader Sr.17566

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KK(CO)
Eu 11.04.15

सत्यमेव जयते

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