

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2015

CORAM

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

W.P.No.20734 of 2009
and
M.P.No.1 of 2009

K.R.Ramanathan

...Petitioner

-vs-

1. The Union of India,
rep. by the Secretary,
Ministry of Environment & Forests,
New Delhi.
2. The Chairman,
Central Pollution Control Board,
New Delhi.
3. The State of Tamil Nadu,
Rep. by the Secretary,
Department of Environment,
Fort St. George, Chennai.
4. The Chairman,
Tamil Nadu Pollution Control Board,
Chennai.
5. The District Collector,
Cuddalore District, Cuddalore.
6. TANNEX Power Generation Ltd.,
Porur, Chennai.

7. The Secretary,
Dept. of Energy,
Fort St. George, Chennai.

...Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 5 to desist from permitting the 6th respondent to erect a thermal power generation facility in Marungur Village, Panruti Tk., Cuddalore District, without strictly scrutinizing its impact on environment, local conditions and health of the local people, pursuant to the representation dt.07.09.2009 made on behalf of the villagers.

For Petitioner : No appearance

For Respondents : Mr.K.Ravindranath, CGSC for R-1

M/s.Rita Chandrasekar, for RR2 & 4

Mr.S.T.S.Moorthy, G.P. for RR3, 5 & 7

Mr.N.A.K.Sarma for R6

O R D E R

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

The Thermal Power Plant, which was proposed to be set up by the 6th respondent has not still been set up, despite extensions, as submitted by the learned counsel for the 2nd and 4th respondents and the extension expires on 05.09.2015. Learned counsel for respondents 2 and 4 submits that other than the cement shed and pillars, nothing has been set up. Thus, it is practically impossible to set up the plan.

2.Learned counsel for the 6th respondent submits that necessary work could not be carried out due to pendency of this petition. This plea is fallacious for the reason that there was no interim order of injunction in this petition. It, thus, appears that the 6th respondent has lost interest in setting up the plant.

3.Be that as it may, till something happens, there is no grievance which the petitioner can make, apart from the fact, as per the submission of learned counsel for 2nd and 4th respondents, all the preliminaries including the public hearing have been completed.

4.Writ Petition, thus, stands closed. Consequently, M.P.No.1 of 2009 also stands closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Secretary to Union of India,
Ministry of Environment & Forests,
New Delhi.
2. The Chairman,
Central Pollution Control Board,
New Delhi.
3. The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Fort St. George, Chennai.
4. The Chairman,
Tamil Nadu Pollution Control Board,
Chennai.
5. The District Collector,
Cuddalore District, Cuddalore.
6. The Secretary,
Dept. of Energy, Fort St. George, Chennai.

1 CC to Mr.N.A.K.Sarma, Advocate SR.No. 9351

1 CC to Mrs.R.Meenal, Advocate SR.No. 9136

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SR (CO)

PSI (06.03.2015)