

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2015

CORAM:

THE HONOURABLE MR. SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Writ Petition No. 20488 of 2012

R. Kadhirvel

.. Petitioner

vs.

1. Government of Tamil Nadu
rep. by the Principal Secretary to Government
Ministry of Environment and Forests
Fort St. George, Chennai 600 009.
2. The Tamil Nadu Pollution Control Board
rep. by its Chairman
No.76, Mount Road, Guindy
Chennai 600 032.
3. Dyers Association of Tirupur
rep. by its President Mr.S.Nagaraj
No.7, Pethichettypuram, 2nd Street
Rayapuram, Tirupur-641601.
4. Tirupur Bleachers Association
rep. by its President Mr.S.Chinnasamy
No.5, Binny Compound 3rd Street
Kumaran Road, Tirupur 641601.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 and 2 to consider the petitioner's representation dated 26.06.2012 and pass orders thereon and consequently directing them to sanction and pay him a compensation of Rs.17,59,487/- towards the agricultural productivity loss in his lands and a further sum of Rs. 16,00,000/- towards the loss of ecology/environment, totaling a sum of Rs.33,59,487/- with interest at the rate of 12% p.a. within a stipulated time to be fixed by this Honourable Court and get it reimbursed from respondents 3 and 4.

For Petitioner : Mr. D. Raghu
For Respondents : Mr. M.K. Subramanian
Spl. Govt. Pleader for R1
Mrs. Rita Chandrasekaran
Standing Counsel for R2
Mr. K. Raja for R3
Mr. L. Chandrakumar for R4

O R D E R

(Made by The Hon'ble The Chief Justice)

The petitioner seeks compensation towards the loss of agricultural productivity as also for the loss of ecology/environment on account of the discharge of polluted trade effluents from the dyeing and bleaching units in and around Tirupur from the year 1992 onwards.

2. Learned counsel for the second respondent states that the petitioner has approached this Court directly after two decades seeking compensation without even approaching the Loss of Ecology Authority for any claim. In view of that, there can be no question of grant of any relief in this petition. If, however, the petitioner is entitled to any amount as per law, it is open for the petitioner to approach the authority in accordance with law.

3. The writ petition accordingly stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ATR

Copies to;

1. The Principal Secretary to Government
Government of Tamil Nadu
Ministry of Environment and Forests
Fort St. George, Chennai 600 009.
 2. The Chairman
Tamil Nadu Pollution Control Board
No.76, Mount Road, Guindy
Chennai 600 032.
- + 1 cc to M/s. Rita Chandrasekaran, Advocate SR.15359

W.P. No. 20488 of 2012

ALA(CO)
EU 01.04.2015