

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06..03..2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE  
and  
The Honourable Mr.Justice M.M.SUNDRESH

W.P.No.11358 of 2007  
and  
M.P.No.1 of 2007  
-----

1. P.V.Natarajan  
2.S.Jeyakodi Shanmugam ... Petitioners

versus

1.The Union of India,  
represented by Secretary to Government  
Ministry of Environment and Forest  
New Delhi 110 001.

2.The Loss of Ecology  
(Prevention and Payment of Compensation)  
Authority for the State of Tamil Nadu  
represented by its Administrative Officer (Judicial)  
Old No.119, New No.26,  
G.N.Chetty Road, II Floor,  
T.Nagar, Chennai 600017.

3.The District Collector  
Erode District, Erode. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, calling for the records of the second respondent relating to its report and award dated 17.12.2004 and quash the same and consequently issue an appropriate direction directing the 2<sup>nd</sup> respondent to conduct village level surveys of the affected ryots, assess the damages, compute the compensation and recover the same from the dyeing and bleaching industries in and around Tirupur.

For Petitioner ::: Mr.A.K.Kumarasamy

For Respondents ::: Mr.STS.Moorthy  
Government Pleader for R.3

No appearance for R.1 and R.2

O R D E R

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

The writ petition emanates from the petitioner, who is affected by ecological pollution causes to Noyyal river on account of trade effluents from large number of dyeing and bleaching units in and around Tiruppur. This is stated to have caused impairment of agricultural operations in respect of land seriously affected by such pollution over 8 years prior to the institution of the petition. The petitioner claims to have submitted his claim petitions before the Loss of the Ecology, Authority for the State of Tamil Nadu/the second respondent. An additional representation is also stated to have been submitted subsequently. Ultimately, the Report and Award dt.17.12.2004 came into being issued by the second respondent.

2.The petitioner, aggrieved by this award, has filed the present petition seeking quashing of the same and directions to the respondents to pay compensation to him.

3.This Court in an identical relief sought for by the petitioner in WP.No.39722/2005, disposed of the writ petition on 3.12.2014, with a direction to the Union of India in paragraph-8 as under:

"8.We, thus, call upon the Union of India/first respondent to nominate the Chairman of the second respondent within one month from the date of receipt of that order and to provide necessary facilities to make it fully functional, so that it can forthwith proceed with the task of determining the compensation. The second respondent so constituted will make every endeavour to proceed as expeditiously as possible and endeavour to hold day-to-day sittings. This would facilities in disposal of all the claim petitions and providing succor to those who have been affected and have been waiting to receive the compensation over the last almost 18 years. As to what would be the value of money received, least said the better!"

4.This Writ petition accordingly stands disposed of in terms of the aforesaid direction issued in WP.No.39722/2005 dt.3.12.2014. No costs. Consequently, MP.No.1 of 2007 is closed.

Sd/-  
Assistant Registrar  
Dated:13.3.15

True Copy

Sub Assistant Registrar

Copy to:

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represented by Secretary to Government  
Ministry of Environment and Forest  
New Delhi 110 001.

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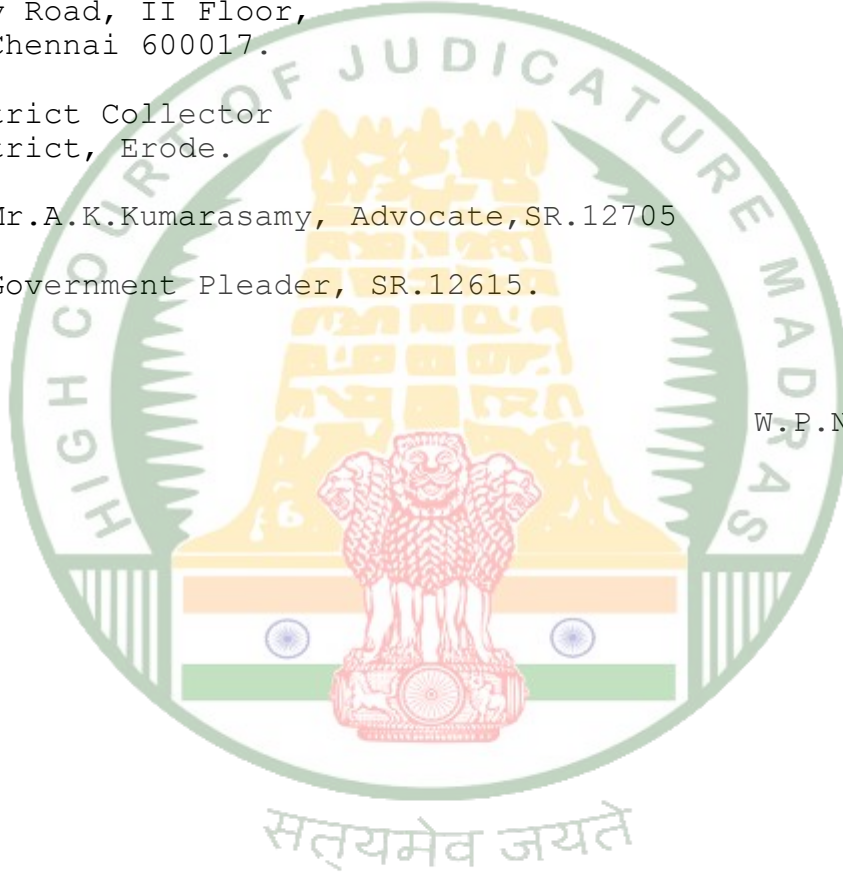
3.The District Collector  
Erode District, Erode.

+1 cc to Mr.A.K.Kumarasamy, Advocate,SR.12705

+1 cc to Government Pleader, SR.12615.

scd(co)  
krd 16/3

W.P.No.11358 of 2007



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