

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10..03..2015

CORAM:

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

W.P.No.12706 of 2010

Aruchamy

... Petitioner

versus

- 1.The District Collector
Collectorate,
Coimbatore 641 018.
- 2.The President
Mathvarayapuram Panchayat Union
Alandurai Post, Coimbatore 641 101.
- 3.Shri Amman Mineral Waters Pvt., Ltd.,
Siruvani Road, Irruttupallam
Coimbatore 641 114.
- 4.Sabole Associates Mineral Waters Pvt., Ltd.,
Marakadu Road, Nallurvayal
Karunya Post, Coimbatore 641 114.
- 5.Krishna Mineral Waters Pvt., Ltd.,
Kalkothipathi Road, Nallur Vayal,
Coimbatore 641 114.
- 6.King Aqua mineral Waters Pvt. Ltd,
Sappanimadai Road, Nallur Vayal
Coimbatore 641 114.

7.Shri Aqua Minral Waters Pvt., Ltd.,
Poothampadugai Road,
Nallur Vayal, Coimbatore 641 114.

8.Government of Tamil Nadu
represented by its Chief Secretary, Secretariat,
Fort St.George, Chennai 9.

9.Government of Tamil Nadu
represented by its Secretary,
Public Works Department,
Secretariat, Fort St.George,
Chennai 600 009.

(R.8 and R.9 impleaded as per order
dated 01.12.2010 by CJ and TSSJ in Mp.No.4 of 2010
in WP.No.12706 of 2010)

10.The Member Secretary,
Tamil Nadu Pollution Control Board
76, Annasalai, Guindy, Chennai 600 032.,
(R.10. suo motu impleaded)

.... Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issue of a writ of Mandamus, directing the
respondents 1 and 2 to cancel the permit given to the respondents 3
to 7 to establish and operate mineral water companies within the
limits of Mathvarayapuram Panchayat in Coimbatore District.

For Petitioner : Ms.Vanathi Srinivasan

For Respondents : Mr. S.T.S.Moorthy,
Government Pleader for R.1,
R.2, R.8 and R.9
Ms.P.Indumathi for R.7.
Mr.N.Z.Rajah for
Mr.Arun Anbumani for R.4
Mr.L.Mouli for R.6
No appearance for R.3 and R.5

O R D E R

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

The present writ petition has been filed seeking a direction against the respondents 1 and 2, to cancel the permit given to the private respondents Nos.3 to 7, to establish and operate mineral water companies within the limits of Mathvarayapuram Panchayat in Coimbatore District.

2. Learned counsel appearing for the Tamil Nadu Pollution Control Board submits that the said body has not been made as a party. As per oral request, we implead the "Tamil Nadu Pollution Control Board, 76, Annasalai, Guindy, Chennai 600032", as 10th respondent.

3. Learned counsel for the 10th respondent submits that the issue of running of these plants is being examined by the National Green Tribunal in Suo Motu W.P.No.40 of 2014, in which a number of private respondents are parties and orders have been passed for closure, unless the parameters are met.

4. Learned counsel appearing for the fourth respondent states that they have all the necessary approvals. Learned counsel for the 7th respondent states that the unit never commenced production. Learned counsel for the 6th respondent states that the unit stand sold.

5. In view of the aforesaid position, there is no purpose in continuing the present proceedings further which are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sr

Copy To

1.The District Collector, Collectorate, Coimbatore 641 018.

2.The Chief Secretary, Government of Tamil Nadu
Secretariat, Fort St.George, Chennai 9.

3.The Secretary, Government of Tamil Nadu
Public Works Department, Secretariat, Fort St.George, Chennai 600 009.

4.Tamil Nadu Pollution Control Boards, Nandanam, Chennai.

+1cc to M/s.Arun Anbumani, Advocate, S.R.No.13743

+1cc to M/s.SU.Srinivasan, Advocate, S.R.No.13714

+1cc to M/s.P.Indumathi, Advocate, S.R.No.13569

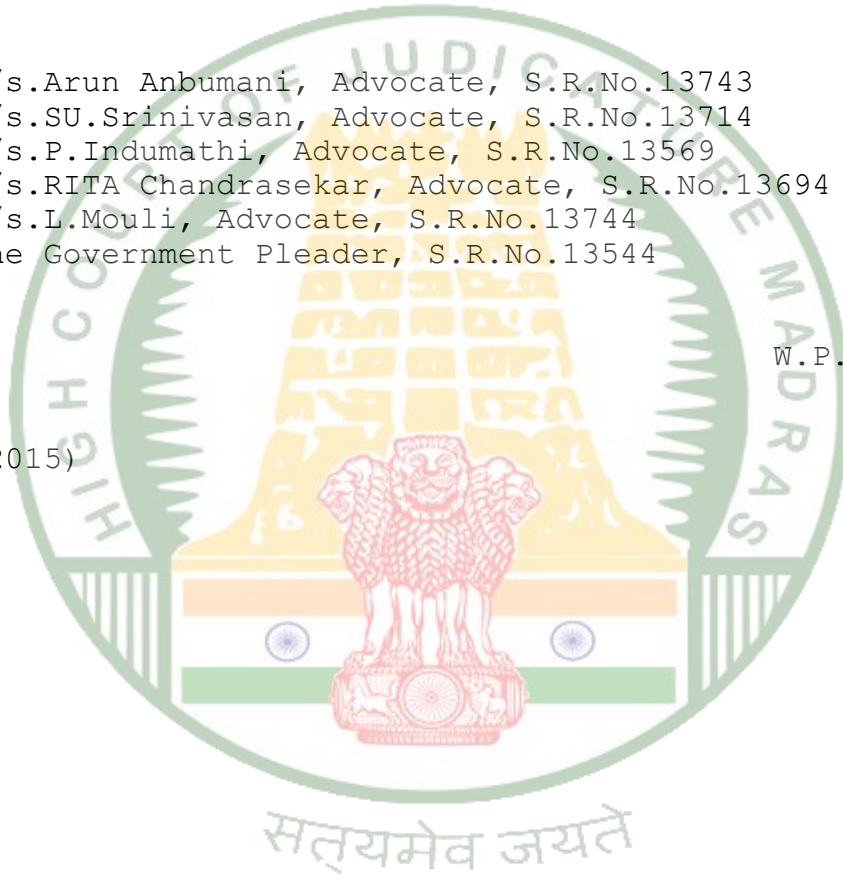
+1cc to M/s.RITA Chandrasekar, Advocate, S.R.No.13694

+1cc to M/s.L.Mouli, Advocate, S.R.No.13744

+1cc to the Government Pleader, S.R.No.13544

W.P.No.12706 of 2010

ACA (CO)
CA (16/03/2015)



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