

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.6696 of 2015

Panaiyoor Region Citizens Welfare Trust,
Rep. by its Chairman,
Rajakamangalam P.O.,
Kanyakumari District.

...Petitioner

-vs-

1. Ministry of Environment and Forests
Union of India,
Rep. by its Secretary,
CGO Complex,
Lodhi Road, New Delhi.
2. Tamil Nadu Pollution Control Board,
Rep. by its Chairman,
Anna Salai, Chennai.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
30, Kesari Street,
Mathias Nagar,
Nagarkovil.
4. The District Collector,
Kanyakumari District,
District Collectorate Complex,
Kanyakumari.
5. M/s.Rajakkamangalam Thirai Fishing
Harbour Pvt. Ltd., Rajakamanagalamthurai,
Kanyakumari District, Tamil Nadu.

6. The National Green Tribunal,
Southern Zone Bench, Rep. by its
Registrar, Pollution Control Board
Building, Poonamallee Highway,
Arumbakkam, Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India
praying for issue of Writ of Certiorari to call for the records of
the 6th respondent culminating in the order dated 20.02.2015 in Appln.
No.5/2013 (SZ) and quash the same.

For Petitioner : Mr.T.Mohan
for M/s.S.Jim Raj Milton

For Respondents : Mr.Su.Srinivasan
Asst. Solicitor General for R-1

Mr.H.Yasmeen Ali for RR 2 & 3

Mr.S.T.S.Moorthy,
Govt. Pleader for R-4

Mr.V.Raghavachari
for M/s.Taaur Associates for R-5

R-6 Tribunal

O R D E R

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

Learned Assistant Solicitor General, now on instructions from
Mr.Bishwanath Sinha, Joint Secretary, Ministry of Environment, states
that there was undoubtedly delay in starting the process and the
reason for the same is stated to be transfers in the department. The
transfers would have required taking over or handing over and thus,
the successor is supposed to know what the records say. We, at this
stage, say no more.

2.It is stated before us that the hearing is concluded and the
proceedings are over.

3.At request of learned counsel for the petitioner, we clarify
that there is no prohibition in hearing the petitioner if the
concerned authorities feel the need for the same purpose, though it
is not mandatory, keeping in mind that in the present case, the show
cause notice referred to the representation made by the petitioner.

4.We are informed that the adjudicatory order is likely to be passed within a maximum period of four (4) weeks. It is agreed that the writ petition be disposed of in terms of the directions already passed in this petition.

5.Writ Petition, thus, stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Secretary,
Ministry of Environment and Forests
Union of India,
CGO Complex, Lodhi Road, New Delhi.
2. The Chairman,
Tamil Nadu Pollution Control Board,
Anna Salai, Chennai.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
30, Kesari Street, Mathia Nagar, Nagarkovil.
4. The District Collector,
Kanyakumari District, District Collectorate
Complex, Kanyakumari.
5. The Registrar,
The National Green Tribunal,
Southern Zone Bench, Pollution Control Board
Building, Poonamallee Highway,
Arumbakkam, Chennai.

1 CC to M/s.Taurs Associates, Advocate SR.No. 41808

1 CC to the Government Pleader, SR.No. 42925

1 CC to Mr.Su.Srinivasan, Advocate SR.No. 42219

1CC ot Mr.A.Yogeswaran, Advocate, SR 11798 (dt: 10.09.2015)

W.P.No.6696 of 2015

GP (CO) PSI (27.08.2015)