

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22..04..2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice T.S.SIVAGNANAM

W.P.No.24257 of 2009
and M.P.No.1 of 2009

1.S.Ganeswaran .. Petitioner
versus

1.The Union of India
represented by its Secretary
Ministry of Environment and Forests,
New Delhi -1.

2.The State of Tamilnadu
represented by its Secretary,
Environment and Forests Department,
Fort, Chennai 600 032.

3. The Pollution Control Board
represented by its Chairman
Guindy, Chennai 600 032.

4a. Tamil Nadu Industrial Development Corporation Ltd.,
represented by its Chairman.

4b. Tamil Nadu Iron Ore Mining Corporation Ltd
(TIMCO), represented by its Chairman
19-A, Rukmani Lakshmipathy Road, Egmore, Chennai 600 008.

5.Jindal Vijaynagar Steel Ltd.,
represented by its Manager
560, Anna Salai, Chennai 600 018. Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issue of a writ of Mandamus, forbearing the
Respondent Nos.1 to 3 to grant any permission to fourth and fifth
respondents from carrying out any mining operation and the felling of
2,22,397 trees of spontaneous growth in 325 hectares of reserved
forest in Thiruvannamalai District and also from carrying out any
mining operation in the 638 hactares of reserved forest in Salem
District.

Kanjamalai in Salem District and in Tiruvannamalai District by impleading himself in the Writ Petition (Civil) No.202 of 1995 in T.V.Godavarman vs. Union of India rather than raising disputes before this Hon'ble Court.

9.Further as mentioned earlier the 4th respondent has not commenced any mining or pelletization operation in the Reserved areas of Kanjamalai or Thiruvannamalai. The 4th respondent and the 5th respondents would strictly abide by the orders/directions of the Hon'ble Supreme Court of India. The petitioner by filing this petition is only trying to pre-empt an act by the 4th or 5th respondents which is pending before the Hon'ble Supreme Court."

3.We are informed that respondent No.4-b is the joint venture of Respondent No.4-a and Respondent No.5. The allegation of the petitioner is that all that is happening is at the behest of the 5th respondent, which is a private party.

4. In view of the aforesaid statements made in the counter affidavit by the learned counsel appearing for the 4th and 5th respondents, nothing will be done contrary to the same and they will await the verdict of the Hon'ble Supreme Court. This implies neither mining nor cutting of the trees would be carried out in the area and that would be subject to the outcome of the proceedings before the Hon'ble Supreme Court.

5. The writ petition accordingly stands disposed of. No costs. Consequently, M.P.No.1 of 2009 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ksr

To
1.The Secretary, Union of India,
Ministry of Environment and Forests,
New Delhi -1.

2.The Secretary to Tamilnadu
Environment and Forests Department,
Fort, Chennai 600 032.

3. The Chairman, Pollution Control Board,
Guindy, Chennai 600 032.

4a. The Chairman, Tamil Nadu Industrial Development Corporation Ltd.

4b. The Chairman,
Tamil Nadu Iron Ore Mining Corporation Ltd, (TIMCO),
19-A, Rukmani Lakshmipathy Road, Egmore, Chennai 600 008.

1 cc to Government Pleader, Sr.No22113
1 cc to Mr..S.Ganeswaran ,Advocate, SR.No.21942
1 cc to Ms.Rita Chandrasekaran ,Advocate, SR.No.22267
1 cc to M/s. King and Patridge,Advocate, SR.No.21992
1 cc to Mr.H.Karthik Seshadri ,Advocate, SR.No.22117
1 cc to Spl. Government Pleader, Sr.No22014

W.P.No.24257 of 2009

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pmk.8.5.2015



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