

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. Nos.9493, 8852, 12087, 11099, 11349, 9375, 9448, 8150,
10912, 10940, 11232, 11249, 12007, 12213, 6340, 6832, 6903,
12104, 16221, 16222, 15575 to 15577, 16302, 17456, 18212, 18288
of 2011 and M.P.Nos.1 and 2 of 2011

M/s.Point Knit Exports,
rep. by its Manager J.Chandreswaran,
K4 & R 14 f SIGC,
SIPCOT, Perundurai - 638 052,
Erode District. .. Petitioner in WP.9493/2011

M/s.Karpaga Ganapathi Textile
Process (P) Ltd, rep. by its
Proprietor N.K.Karthikeyan. .. Petitioner in WP.8852/2011

PERUNDURAI COMMON EFFLUENT
TREATMENT PLANT REP. BY ITS DIRECTOR
MR.N.CHANDRASEKARAN .. Petitioner in WP.12087/2011

M/S. VANANGAMUDI DYEING
REP BY ITS PROPRIETOR
MR.S. NANDEESWARAN .. Petitioner in WP.11099/2011

M/S. PKR TEXTILES PROCESS
REP BY ITS PROPRIETOR
MR. P.K. RAVICHANDRAN .. Petitioner in WP.11349/2011

JAYAMANI DYEING FACTORY
REP. BY ITS PROPRIETOR
V.JAGADEESAN .. Petitioner in WP.9375/2011

M/s.Allan Textile Processors
Unit of A.I.Enterprises (P) Ltd
Plot K19, K-24 26 of SIGC Sipcot,
Pennadam, Erode District. .. Petitioner in WP.9448/2011

M/s.Murugavel Dyeing Mills
rep. by its Partner
Mr.S.Sakthivel .. Petitioner in WP.8150/2011

M/s.Ajantha Fabrics rep. by its
Partner M.Vijayakumar .. Petitioner in WP.10912/2011

M/s.Chola Process rep. by its
Partner R.Mustaffa .. Petitioner in WP.10940/2011

M/s.Kamala Tannery rep. by its
Proprietor Mr.K.P.Chinnasamy .. Petitioner in WP.11232/2011

M/s.Amudha Dyeing rep. by its
Partner D.Saravana Kumar .. Petitioner in WP.11249/2011

M/s.Santhi Washing Belt
Calendering Mills, rep. by its
Prop. R.Subramaniam. .. Petitioner in WP.12007/2011

M/s.Natesh Kumar Textiles
rep. by its Proprietor,
S.R.Nandha Kumar. .. Petitioner in WP.12213/2011

M/s.Venkadeshwara Dyeing
Vadivel Dying rep. by its
Proprietor P.S.Vadivelu .. Petitioner in WP.6832/2011

M/s.Sri Ambal Colours
(Sri Balaji Process) rep. by
its Proprietor M.Muthusamy .. Petitioner in WP.6340/2011

M/s.S.M.K.T.Dying rep. by
its Proprietor M.K.T.Palraj .. Petitioner in WP.6903/2011

Mr.K.Velusamy Proprietor,
M/s.Sabari Bleachers .. Petitioner in WP.12104/2011

Solo Kinit Process P. Ltd rep.
by its General Manager
C.Palaniappan. .. Petitioner in WP.16221/2011

M/s.Vela Colours rep. by its
Partner G.Swaminathan. .. Petitioner in WP.16222/2011

M/s.Sri Kuppusamy Labour
Dying Works rep. by Proprietor,
M.G.Krishnamoorthy .. Petitioner in WP.15575/2011

M/s.Sri Vel Bleaching and
Dying Works rep. by its
Proprietor M.Velsamy .. Petitioner in WP.15576/2011

M/s.Sri Umayal Dying Factory
rep. by Prop. Mrs.K.Kannammal .. Petitioner in WP.15577/2011

M/s.Sri Sujatha Textiles Mills
rep. by Partner P.Balamurugan .. Petitioner in WP.16302/2011

M/s.Sri Bagavathi Amman Dyeing
rep. by its Partner R.Balasubramanian
.. Petitioner in WP.17456/2011

M/s.Kaviraj Dying Factory
rep. by its Partner
A.Mohana Sundaram .. Petitioner in WP.18212/2011

M/s.Raghavendra Dying
rep. by its Proprietor,
S.Ravi. .. Petitioner in WP.18288/2011

-vs-

1.Tamil Nadu Pollution Control Board,
rep. by its Chairman,
No.76, Anna Salai,
Guindy, Chennai - 32. ... 1st Respondent in Wps.8150,
10912, 16221, 16222, 16302,
15575 to 15577, 17456, 18212,
18288 of 2011.

2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Bhavani Main Road,
Perundurai, Erode Distrit. ... 1st & 2nd Respondent in WP.12087,
11099, 11349, 9375, 9448,
10912, 10940, 11349, 9375,
9448, 10912, 10940, 11232,
1249, 12007, , 12213, 6340 of
2011

3.The Executive Engineer,
Tamil Nadu Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode. ... 3rd Respondent in WP.8150/2011
R1 to R3 in WP.9493, 8852

4.The District Collector,
Erode District, Erode. ... R4 in WP.8150/2011, R3 in
WPs.16302, 10912, 10940 11232,
11249 of 2011, R1 in
WP.12184/2011, R3 in
WP.16222/2011.

5. The Superintending Engineer,
Tamil Nadu Electricity Board,
Erode District. ..R3 in WP.18288, 15575 to
15577 of 2011, R4 in WP.16222,
16302, 17456 of 2011.
.. R3 and R4 in WP.9375, 10912,
10940, 11232, 11244,
16222,16302 of 2011, R3 in
WP.12213/2011, R4 in WP.15573,
15576, 15577,17456,10912,10940
of 2011.
5. The Chairman, Monitoring
Committee, 460 Law Chambers,
High Court Buildings,
Chennai - 600104. .. R3 in WP.15575 to 15577,
18288, 17456 of 2011, R4
in WP.18288/2011.
6. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Surampatti Valasu, Erode. .. R3 in WP.18288/2011
7. The Executive Engineer,
TANGEDCO, Operation & Maintenance,
Erode Division, Erode District... R3 in WP.18222/2011.
8. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nehru Complex, Erode. .. R2 in WP.8150, 6832,7340,
6903, 12104, 16222, 15575
to 15577, 17456, 18212,
18288 of 2011.

Petitions filed under Article 226 of the Constitution of India praying for issue of (1) Writ of Certiorari calling for the records of the impugned order issued by the first respondent in Proceedings No.T2/TNPCB/F.1738/PND/11-1 dated 01.03.2011 and quash the same (in WP.9493 of 2011), (2)Writ of Certiorari calling for the records of the impugned order issued by the first respondent in Proceedings No.T2/TNPCB/F.1701/PWD/11-1 dated 28.02.2011 and quash the same (in WP.8852 of 2011), (3) Writ of Mandamus Directing the 1st respondent to revoke the Closure Order passed in his proceeding No.T-2/TNPCB/F-8043/PND/2010-1 dt.4.10.2010 pursuant to the compliance report submitted by the petitioner CETP on 1.4.2011 so as to enable the member units of the petitioner CETP to run their units within the 50% of the consented capacity (in WP.12087/2011), (4) Writ of Certiorari to calling the records based on the impugned order of the 1st respondent in his proceedings No. T2/TNPCB/F.3348/ERD/10-1 dt 23.2.2010 and quash the same (in

WP.11099/2011), (5) Writ of Mandamus directing the respondents to issue consent for operation to the petitioners unit (in WP.11349/2011), (6) Writ of Certiorarified Mandamus in the nature of a Writ Calling for the records of the 1st respondent in and by its proceeding in No.T2/TNPCB/F.38954/ERD/10-2 dated 21.01.2010 and to quash the same and direct the respondents to permit the petitioner to operate the petitioner unit. (in WP.9375/2011), (7) Writ of Certiorari Calling for the records relating to the proceedings of the 1st respondent dt. 16.03.2011 in No. T2/TNPCB/F-1750/ PND/11-1 quash the same (in WP.9448/2011), (8) Writ of Certiorari calling for the records and quash the impugned order of the 1st Respondent in his proceedings No.T2/TNPCB/F.6632/ERD/11-1 dated 16.3.2011 (in WP.No.8150/2011), (9) Writ of Certiorarified Mandamus calling for the records of the 1st respondent herein in and by his proceeding in No.T2/TNPCB/F-21179/ERD/10-1 dated 11.8.2010 and to quash the same and consequently direct the respondents to permit the petitioner to operate the unit M/s.Ajantha Fabrics (in WP.10912/2011), (10) Writ of Certiorarified Mandamus calling for the records of the 1st respondent in and by its Proceeding in No.T2/TNPCB/F-26428/ERD/10-1 dated 27.9.2010 and quash the same and direct the respondents to permit the petitioner to operate the petitioner unit M/s.Chola Process (in WP.10940/2011), (11) Writ of Certiorrified Mandamus calling for the records of the 1st respondent herein in and by his proceeding in No.Tannery/TNPCB/LAW/LAI/F-11863/ERD/2008/RSW-1 dated 28.1.2010 and to quash the same and consequently direct the respondents to permit the petitioner to operate the Unit M/s./Kamala Tannery (in WP.11232/2011), (12) Writ of Certiorarified Mandamus calling for the records of the 1st respondent herein in and by his proceeding in No.T2/TNPCB/F-20431/ERD/10-1 dated 29.7.2010 and to quash the same and consequently direct the respondents to permit the petitioner to operate the unit Sri.Amudha Dyeing (in WP.11249/2011), (13) Writ of Certiorari calling for the records and quash the impugned order of the respondents in his proceedings No.T2/TNPCB/F-3634/ERD/10-1 dated 23.2.2010 (in WP.12007/2011), (14) Writ of Mandamus directing the 1st respondent to issue revocation of closure order to the petitioner unit (in WP.12213/2011), (15) Writ of Certiorari calling for the records and quash the impugned order of the 1st respondent in his proceedings No.T2/TNPCB/8/17929/PND/10-1 dated 5.7.2010 (in WP.6340/2011), (16) Writ of Certiorarified Mandamus calling for the records of the 2nd Respondent show cause notice in proceeding No.DEE/TNPCB/F.366/2011-1 dated 17.2.2011 and quash the same (in WP.6832/2011), (17) Writ of Certiorari calling for the records of the 2nd respondent show cause notice in Proceeding No.DEE/TNPCB/F.211-1 dated 17.2.2011 and quash the same (in WP.6903/2011), (18) Writ of Mandamus directing the respondents herein not to demolish the unit of the petitioner in S.No.351/1 runs in the name and style of Sabdari Bleachers at 149-B,

Nathakadu thottam Periyasemur Village Erode until they dispose off the request of the Petitioner dated 18.04.2011 is disposed of on merits and in accordance with law (in WP.12104/2011), (19) Writ of Mandamus directing the 2nd respondent herein to accept the payment of Rs. 57 54 000/- demanded from the petitioner by the 2nd respondent in his proceedings in No. DEE/TNPCB/PND/F.0422/2010 dt 24.8.2010 by monthly installments of Rs. 2 00 000/- per month (in WP.16221/2011), (20) Writ of Certiorarified Mandamus Calling for the records of the 1st respondent herein in and by his proceeding in No. T2/TNPCB/ F-5181/ERD/11-1 dated 16.03.2011 and to quash the same and consequently direct the respondents to permit the petitioner to operate the Unit M/s. Vela Colours (in WP.16222/2011), (21) Writ of Certiorari calling for the records relating to the proceedings of the 1st respondent bearing No.T2/TNPCB/F-5806/PND/11-1 dated 16.3.2011 and quash the same (in WP.15575/2011), (22) Writ of Certiorari calling for the records relating to the proceedings of the 1st respondent bearing No.T2/TNPCB/F-5807/PND/11-1 dated 16.3.2011 and quash the same (in WP.15576/2011), (23) Writ of Certiorari calling for the records relating to the proceedings of the 1st respondent bearing No.T2/TNPCB/F-5805/PND/11-1 dated 16.3.2011 and quash the same (in WP.15577/2011), (24) Writ of Certiorarified Mandamus Calling for the records of the 1st Respondent in and by its proceeding in No.T.2/TNPCB/F-6633/ERD/11-1 dated 18.03.2011 and to quash the same and direct the Respondents to permit the petitioner to operate the petitioner unit M/s.Sri Sujatha Textile Mills (in WP.16302/2011), (25) Writ of Certiorari calling for the records relating to the proceedings of the 1st respondent bearing Proc.No.T2/TNPCB/F-5578/PND/11-1 dated 16.3.2011 and quash the same (in WP.17456/2011), (26) Writ of Mandamus directing the 1st and 2nd respondents to inspect the petitioner unit afresh thereafter pass orders on the show cause notice dated 20.7.2011 (WP.18212/2011), (27) Writ of Mandamus directing the 1 to 4 respondents to inspect the petitioner's unit situate at Door No.11/6, Patel Street, Surampatti Valasu, Erode and submit a report within a time limit to be fixed by this Hon'ble Court (in WP.18288/2011)

For Petitioner : Mr.S.Kolandasamy in
W.P.Nos.9493, 8852, 11099,
11349, 8150, 12007, 12213, 6340,
18212/2011

Mr.K.Raja in
W.P.Nos.12087/2011

Mr.D.Selvaraju in
W.P.Nos.9375, 10912, 10940,
11232, 11249, 16221, 16222,
16302/2011

Mr.R.Saravanakumar in
W.P.No.9448/2011

Mr.R.Subramanian in
W.P.Nos.6832 & 6903/2011

Mr.A.S.Vijayaraghavan in
W.P.No.12104/2011

Mr.V.Anandha Moorthy in
W.P.Nos.15575 to 15577, 17456 &
18288/2011

For Respondents : Mrs.Rita Chandrasekar for
Tamil Nadu Pollution Control Board
in all WPs.

* * * * *
COMMON ORDER

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

Learned counsels for the petitioner seek to withdraw
the writ petitions, as they state that the writ petitions have
become infructuous.

2. Accordingly, the writ petitions stand dismissed as
withdrawn. No costs. Consequently, M.P.Nos.1 and 2 of 2011
also stand dismissed.
bbr

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai,
Guindy, Chennai - 32.

2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Bhavani Main Road,
Perundurai, Erode District.

3. The Executive Engineer,
Tamil Nadu Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode.

4. The District Collector,
Erode District, Erode.

5. The Superintending Engineer,
Tamil Nadu Electricity Board,
Erode District.

6. The Chairman,
Monitoring Committee,
460, Law Chambers,
High Court Buildings,
Madras.

7. The Executive Engineer,
TANGEDCO, Operation and Maintenance,
Erode District, Erode.

+ 1 cc to M/s.R.Saravanakumar, Advocate SR 40355

+ 1 cc to M/s.K.Raja, Advocate SR 40490

+ 1 cc to M/s.Rita Chandrasekar, Advocate SR 40884

ssk(co)
prk5/8

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11099, 11349, 9375, 9448,
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of 2011

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