

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.44069 of 2016

President,
A.P.Kandasamy,
Noyyal River Ayakattudars Protection Association,
Athipalayam Post,
Karur District. ... Petitioner

-vs-

- 1.Union of India,
rep. by the Secretary to Government,
Ministry of Environment and Forests,
6th Floor, CGO Complex,
Paryavaran Bhavan, Lodhi Road,
New Delhi.
- 2.State of Tamil Nadu,
rep. by its Secretary to Government,
Department of Environment and Forests,
Fort St. George,
Chennai-600 009.
- 3.The Loss of Ecology,
(Prevention & Payment of Compensation) Authority,
Peters Road (LOEA),
Royapettai, Chennai.
- 4.The Hon'ble Chairman,
The Hon'ble National Green Tribunal (SZ),
Arumbakkam High Road,
Arumbakkam, Chennai.
- 5.The Tamil Nadu Pollution Control Board,
rep. by its Member Secretary,
Guindy, Chennai. .. Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the third respondent to transfer the claim application of the petitioner's association members with connected records to the

fourth respondent so as to enable the fourth respondent to determine the petitioner's association members compensation claims.

For Petitioner : Mr.L.Chandrakumar
for M/s.K.K.Ramakrishnan

For Respondents : Mr.CG.Kumar for R1
Mr.M.K.Subramanian
Govt. Pleader &
Mr.E.Manohar for R2 to R5

ORDER

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

An order was passed in a batch of writ petitions on 03.12.2014, which included the petitions of the petitioner in W.P.Nos.16694 of 2014 and 29791 of 2003 qua the issue of disbursement of the compensation amount on account of the Loss of Ecology Authority, which had been constituted. However, on the Central Government moving the Court in this behalf, an order was subsequently varied to the effect that since the Government was not interested in re-constituting that Authority, the matter would stand transferred to the National Green Tribunal (SZ)/respondent No.4.

2. The grievance now made is that the National Green Tribunal (SZ)/respondent No.4 is unable to proceed with the matter, as those cases have not been transferred to the National Green Tribunal (SZ)/respondent No.4 from now the defunct Loss of Ecology Authority/respondent No.3.

3. The State Government to take necessary action to see that the records of respondent No.3 are transmitted to the National Green Tribunal (SZ)/respondent No.4 within a maximum period of one month from today.

4. The writ petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Ministry of Environment and Forests,
6th Floor, CGO Complex,
Paryavaran Bhavan, Lodhi Road,
New Delhi.
- 2.The Secretary to Government,
Department of Environment and Forests,
Fort St. George,
Chennai-600 009.
- 3.The Loss of Ecology,
(Prevention & Payment of Compensation) Authority,
Peters Road (LOEA),
Royapettai, Chennai.
- 4.The Hon'ble Chairman,
The Hon'ble National Green Tribunal (SZ),
Arumbakkam High Road,
Arumbakkam, Chennai.
- 5.The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai.

+1cc to Mr.K.K. Ramakrishnan, Advocate, S.R.No.74896
+1cc to the Government Pleader, S.R.No.76303
+1cc to Special Government Pleader (Faxes) Sr.No.76311

mp(CO)
md(28/12/2016)

W.P.No.44069 of 2016

सत्यमेव जयते

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