

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2018

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.5593 of 2018

D.Selvavinayagam

.. Petitioner

Vs

- 1 The Chairman
Tamilnadu Pollution Control Board
No.76 Mount road Guindy
Chennai 600 032.
- 2 The Member Secretary
Tamilnadu Pollution control Board
No.76 Mount road Guindy
Chennai- 600 032.
- 3 The Joint Chief Environment Engineer
Tamilnadu Pollution Control Board
No.25 Developed plots
SIDCO Industrial Estates
Thuvakudy Trichy- 620 015.
- 4 The District Environment Engineer
Tamilnadu Pollution Control Board
Plot No.A3 SIPCOT Industrial Complex
Kudikadu Cuddalore- 607 005.
- 5 The Managing Director
SIPCOT No.19A Rukmani Lakshmipathy road
Egmore Chennai- 600 008.
- 6 M/s. Strides Shasun Pharmaceuticals Ltd.
rep by its Director (Operation and EHS)
3rd and 4th floor Batra Centre
28 Sardar Patel Road Guindy Chennai- 600 032.

7 M/s. Strides Shasun Pharmaceuticals Ltd.
rep by its Managing Director
Opp. IIMB. Bannerghatta Main Road
Vivekahalli, Bangalore
Karnataka State - 560076.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents 1 to 5 to close down the 6th and 7th respondents Industry viz. M/s. Strides Shasun Pharmaceuticals Ltd. at SF.Nos.167, 168, Plot No.A1/A, A1/B, A1/C, A2/B, A2/C, A2/D and C8-3/C and C8-3/A SIPCOT Industrial Complex, Kudikadu Village, Cuddalore - 607 005.

For Petitioner : Mr.A.K.Kumarasamy
Senior Counsel
for Mr.M.V.Venkataseshan

For Respondents : Mrs.Rita Chandrasekar
for respondents 1 to 4
Mr.A.L.Somayaji
Senior Counsel
for Mr.S.Sai Sathyajith
for respondents 6 and 7

ORDER
(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition has been filed seeking a writ of mandamus directing the Respondent Nos.1 to 5 to close down the industry viz. M/s.Strides Shasun Pharmaceuticals Limited at SF.Nos.167, 168, Plot No.A1/A, A1/B, A1/C, A2/B, A2/C, A2/D and C8-3/C and C8-3/A SIPCOT Industrial Complex, Kudikadu Village, Cuddalore - 607 005.

2. It is the case of the petitioner that the industry run by the Respondent Nos.6 and 7 is a highly polluting industry and there is no extension of the consent order to run the industry and it is operating without a consent order.

3. It, however, appears that the Tamil Nadu Pollution Control Board had issued orders renewing consent till the period ending 31.3.2019, vide (i) Consent Order No.170814647843, dated 7.8.2017 under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974; and (ii) Consent Order No.170824647843,

dated 7.8.2017 under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981. We are also informed that the industry has been operating since 1991.

4. The learned counsel appearing on behalf of the Tamil Nadu Pollution Control Board submits that all the consent orders are duly put up on the website of the Tamil Nadu Pollution Control Board and any one can look into these orders.

5. The writ petition is not entertained and the same is dismissed. The Tamil Nadu Pollution Control Board shall, however, continue to monitor the running of the industry and ensure that pollutants are not discharged as alleged in the writ petition. This, however, is not to be construed as any finding of this Court that the industry is actually causing pollution. No costs. Consequently, W.M.P.No.6925 of 2018 is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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5 The Managing Director
SIPCOT No.19A Rukmani Lakshmipathy road
Egmore Chennai- 600 008.

+1cc to Mr.M.V.Venkataseshan, Advocate, S.R.No.19905

+1cc to Mrs.Rita Chandrasekar, Advocate, S.R.No.20985

+1cc to the Government Pleader, S.R.No.20054

W.P.No.5593 of 2018

RJ (CO

RRK(06/04/2018)



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