

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.07.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.No.26473 of 2014
and Crl.M.P.No.1 and 2 of 2014

1. M/s VGN Developers Pvt. Ltd.
Rep. by Mr.Mahadevan
No.15, Wallace Garden, 2nd Street,
Nungambakkam, Chennai-6.
2. V.D.Devadoss
3. D.Pratish Petitioners

Vs.

The Tamilnadu Pollution Control Board
Rep by its District Environmental Engineer,
S.Rajan, S/o M.S.Subramanian,
No.77A, South Avenue Road,
Ambattur Industrial Estate,
Ambattur, Chennai 600 058. Respondent

Prayer : Criminal Original Petition filed under Section 482
of Cr.P.C to call for the records in C.c.No.58 of 2014 on the
file of the Judicial Magistrate, Ambattur and quash the same.

For Petitioners: Mr.A.Natarajan, Senior Counsel
for Mr.CP Palanichamy

For Respondents: Mrs.Rita Chandrasekar,
Standing Counsel for
Tamilnadu Pollution Control Board.

ORDER

The petitioners are the accused in C.C.No.58 of 2014 on the
file of the Judicial Magistrate, Ambattur.

2.The respondent/complainant filed a complaint against the
petitioners under Section 200 of the Code of Criminal Procedure
for the offences punishable under Sections 15 read with 16 and
19(a) of the Environment (Protection) Act, 1986 in C.C.No.58 of
2014 on the file of the Judicial Magistrate, Ambattur.

3. The main allegation of the respondent/ complainant is that the petitioners, without obtaining clearance from the the Tamil Nadu State Level Environment Impact Assessment Authority, had commenced the construction activities at Thirumullaivoyal Village, Ambattur Taluk, in violation of Sections 15(1) of the Environment (Protection) Act, 1986.

4. Mrs. Rita Chandrasekar, the learned Standing Counsel for the Tamil Nadu Pollution Control Board contended that since the petitioners have obtained Environmental Clearance from the Tamil Nadu State Level Environment Impact Assessment Authority, the proceedings in C.C.No.58 of 2014 on the file of the Judicial Magistrate, Ambattur against the petitioners can be quashed.

5. Recording the submissions made by the Standing Counsel for the respondent, the Criminal Original Petition is allowed and the proceedings in C.C.No.58 of 2014 on the file of the Judicial Magistrate, Ambattur against the petitioners herein is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mst

To

1. The Judicial Magistrate,
Ambattur.
2. The Tamilnadu Pollution Control Board
Rep by its District Environmental Engineer,
S.Rajan, S/o M.S.Subramanian,
No.77A, South Avenue Road,
Ambattur Industrial Estate,
Ambattur, Chennai 600 058.

+2ccs to Mr.C.P.Palanichamy, Advocate, S.R.No.50229

Cr1.O.P.No.26473 of 2014

BM 03/02/2018