



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.Nos.27606 of 2017 and 2829 of 2018

Madura Coats Private Limited,
Papavinasam Mills Post,
Ambasamudram, Tirunelveli - 627 422
Represented by its Manager - Excise
& Legal Mr.M.Ramasubramanian.

...

Petitioner in both W.Ps

vs.

1.The Tamil Nadu Pollution
Control Board (TNPCB),
Represented by its Chairman,
76 Mount Salai, Guindy,
Chennai - 600 032.

2.The Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB)
76 Mount Salai, Guindy,
Chennai - 600 032.

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Respondents in both W.Ps

3.The Joint Chief Environmental
Engineer (Monitoring)
Tamil Nadu Pollution Control Board (TNPCB)
Madurai.

4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board (TNPCB)
Tirunelveli.

5.The Central Pollution
Control Board (CPCB)
Represented by its Member Secretary
Parivesh Bhawan, CBD-cum-Office Complex,
East Arjun Nagar,
Delhi - 110 032.

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Respondents 3 to 5 in W.P
No.27606/2017



Prayer in W.P.No.27606 of 2017 : Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of certiorari calling for the records of the 2nd respondent culminating in his proceedings bearing Proc.No./TNPCB/F-206/TNV/W&A/2017 dated 11.10.2017 and quash the same.

Prayer in W.P.No.2829 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of certiorari calling for the records of the 2nd respondent culminating in his impugned proceedings signed 23.01.2018 and received by the petitioner on 29.01.2018 and quash the same.

In both WPs

For Petitioner : Mr.N.L.Rajah, Senior Counsel,
for M/s.Arun Anbumani

For R-1 to R-4 : Mr.Abdul Saleem

For R-5 : Ms.M.Swarnalatha

COMMON ORDER

(Order of the Court made by M.M.SUNDRESH,J.)

From the statement made, nothing survives in these writ petitions for adjudication. It appears that at the earlier point of time, this litigation went upto Hon'ble Apex Court. These impugned orders have been passed during the interregnum period. In fact, they have been passed when the application seeking consent was pending. Thereafter, after rejection of the consent order, the petitioner filed an appeal before the Appellate Authority. The Appellate Authority set aside the order and remanded back the matter for re-consideration. Thus, the application for consent is pending consideration, in the light of the order passed by the Appellate Authority.

2. In such view of the matter, the impugned orders have worked themselves out. Needless to state that the respondent Board will have to consider the consent application in the light of the order passed by the Appellate Authority. We further clarify that the impugned orders are of no effect.

3. Accordingly, these writ petitions stand closed as no orders are required, particularly when the Appellate Authority has passed an order which is subsequent to the impugned orders.

