



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7970 of 2022

G.Raman

.. Petitioner

Vs

- 1.State of Tamil Nadu,
rep. by its Secretary,
Environment, Climate Change & Forests Department,
Fort St. George, Chennai - 600 009.
- 2.The Director,
Department of Environment,
Ground Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.
- 3.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai,
Guindy, Chennai - 600 032.
- 4.The Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai,
Guindy, Chennai - 600 032.
- 5.The District Collector,
Kallakurichi District.
- 6.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Villupuram District,
No.4/308, Ellis Chathiram Road,
Villupuram - 605 602.
- 7.The Tahsildar,
Sankarapuram Taluk,
Kallakurichi District.



8.The Commissioner,
Thiyagadurgam Panchayat Union,
Sankarapuram Taluk,
Kallakurichi District.

9.The President,
Peelamedu Village Panchayat,
Sankarapuram Taluk,
Kallakurichi District.

10.Dharani Sugars & Chemicals Ltd.,
rep. by its Manager,
Kalaiyanallur Village,
Sankarapuram Taluk,
Kallakurichi District - 606 206.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd to 7th respondents to conduct field inspection and close the 10th respondent's Sugar Mill situated at Kalaiyanallur Village, Sankarapuram Taluk, Kallakurichi District for protecting waterbodies in Survey Nos.20/3, 21/1. 24/1. 27/2 and 40/3 situated at Kalaiyanallur Village Sankarapuram Taluk, Kallakurichi District by considering the petitioner's representation dated 04.10.2021 preferred before the 2nd to 7th respondents in accordance with law within the time stipulated by this Court.

For the Petitioner : Mr.S.Mohamed Ansar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1, 5, 7 & 8

: Mrs.Shanmugavalli Sekar
Standing Counsel
for respondent Nos.3, 4 & 6

ORDER

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

The writ petition has been filed to seek a direction on the respondents 2 to 7 to close the tenth respondent's sugar mill situated at Kalaiyanallur Village, Sankarapuram Taluk,



Kallakurichi District for protecting waterbodies in different survey numbers.

2. Learned counsel for the petitioner submitted the tenth respondent is running the sugar mill in violation of the Government Order dated 8.5.1998, thus, should be closed to protect the environment.

3. Though learned counsel for the petitioner has drawn our attention to the Government Order dated 8.5.1998, but has failed to refer the relevant para which is offended by the tenth respondent. It is not the allegation of the petitioner that the tenth respondent is discharging polluted water in the waterbodies. It is also the fact that the tenth respondent has established the industry in the year 2007 and at that time the petitioner did not raise any objection. How the petitioner is raising objection now after the delay of more than 15 years remained unexplained.

4. The public interest litigation, at times, is filed for different purpose than the purpose which is meant and especially when it is taken up against the industry, even issuance of notice may have repercussion. The petitioner has not disclosed even otherwise source of his income, but has shown to be a social activist only.

5. Taking the overall facts into consideration and finding no merit in the writ petition, the same is dismissed. There will be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

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To:

1.The Secretary,
State of Tamil Nadu,
Environment, Climate Change & Forests Department,
Fort St. George,
Chennai - 600 009.



2.The Director,
Department of Environment,
Ground Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.

WEB COPY

3.The Chairman,
Tamil Nadu Pollution Control Board,
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Guindy, Chennai - 600 032.

4.The Member Secretary,
Tamil Nadu Pollution Control Board,
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5.The District Collector,
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7.The Tahsildar,
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9.The President,
Peelamedu Village Panchayat,
Sankarapuram Taluk,
Kallakurichi District.

+1cc to Mr.S.Mohamed Ansar, Advocate SR.No.22945
+1cc to the Government Pleader, SR.No.22817

W.P.No.7970 of 2022

KV(CO)
CB(08/04/2022)