



WEB COPY



W.P.No.28470 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.28470 of 2014

&

M.P.No.1 of 2014

Tamil nadu Fly Ash Bricks and Block's
Manufactures Association
having their Head Office at
447/4, HIG Flats
II main road, Anna Nagar
Chennai-600 040
rep by its President Mr.D.S.Saravanan

... Petitioner

Vs.

1. Union of India
Rep. by its Deputy Director Ministry of
Environment and Forest 146 Paryavaran
Bhavan CGO Complex Lodhi Road New Delhi.
- 2 The Central Pollution Control
Board Rep. by its Chairman Parivesh Bhavan
CBD-cum-Office Complex East Arjun Nagar
New Delhi-32.
- 3 The State of Tamil Nadu
Rep. by its Secretary Environment and
Forest Department Fort St. George Chennai-9.



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- 4 The Tamil Nadu Pollution
Control Board Rep. by its Regional Officer/
Director Anna Salai Guindy Ghennai-32.
- 5 The Government of Tamil Nadu
Rep. by its Principal Secretary to
Government Co-operation Food & Consumer
Protection Department Fort St. George
Chennai-9.
- 6 The Tamil Nadu Housing Board
Rep. by its Managing Director 493 Anna
Salai Nandanam Chennai-35.
- 7 The Executive Engineer
Special Project Division II Nerkundram
Project Tamil Nadu Housing Board Nandanam
Chennai-35.
- 8 M/s.Indu Projects Ltd
Having their Corporate Office at No.1009
Indu Fortune Fields 13th Phase KPHB Colony
Hyderabad

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to make it mandatory the use of Fly Ash Bricks in the Nerkundram Project viz: the Construction of Multistoried Residential Flats (Basement + Stilt + 19 Floors) to house I.A.S and I.P.S Officers at Survey No.388 etc Nerkundram Chennai-107 in terms of the Notification No.S.O: 763(E) dated 14.9.1999 as amended by amendment Notification No.S.O: 2804 (E) dated 3.11.2009 issued under Sub Section (1) read with Clause (v) of Sub-Section (2) of Section 3 and Section 5 of The Environment (Protection) Act 1986 (Central Act No.29 of 1986)



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For Petitioner : Ms.B.Manjula

For Respondents : Mr.J.Madhanagopal Rao, SPC for R1

Mrs.M.Swarnalatha, standing counsel for R2

Dr.T.Seenivasan Spl.GP (Forest) for R3

Mrs.Shanmugavalli Sekar for R4

Mr.V.Baranidharan, A.G.P for R5

Mr.D.Veerasekaran for R6 and 7

ORDER

Writ petition is filed seeking a direction to the respondents to make it mandatory the use of Fly Ash Bricks in the Nerkundram Project viz: the Construction of Multistoried Residential Flats (Basement + Stilt + 19 Floors) to house I.A.S and I.P.S Officers at Survey No.388 etc Nerkundram Chennai-107 in terms of the Notification No.S.O: 763(E) dated 14.9.1999 as amended by amendment Notification No.S.O: 2804 (E) dated 3.11.2009 issued under Sub Section (1) read with Clause (v) of Sub-Section (2) of Section 3 and Section 5 of The Environment (Protection) Act 1986 (Central Act No.29 of 1986).



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2. Learned counsel appearing for the petitioner submits that the matter has become infructuous.

3. Recording the statement made by the learned counsel for the petitioner, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

10.10.2022
(2/3)

kpr
Internet: Yes
Speaking/Non speaking order



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To

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1. The Deputy Director Ministry of
Environment and Forest
Union of India,146 Paryavaran
Bhavan CGO Complex Lodhi Road New Delhi.
- 2 The Chairman
Central Pollution Control Board
Parivesh Bhavan
CBD-cum-Office Complex East Arjun Nagar
New Delhi-32.
- 3 The Secretary
State of Tamil Nadu
Environment and Forest Department
Fort St. George Chennai-9.
- 4 The Regional Officer/ Director
Tamil Nadu Pollution Control Board
Anna Salai Guindy Ghennai-32.
- 5 The Principal Secretary to Government
Government of Tamil Nadu
Co-operation Food & Consumer
Protection Department Fort St. George
Chennai-9.
- 6 The Managing Director
Tamil Nadu Housing Board
493 Anna Salai
Nandanam Chennai-35.
- 7 The Executive Engineer
Special Project Division II Nerkundram
Project Tamil Nadu Housing Board Nandanam
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