



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

**THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MR.JUSTICE K. KUMARESH BABU**

W.P.No.27557 of 2022

M/s.Environ Bio Waste Systems India Pvt. Ltd.,
Having its office at
No.5-7/1, Second Floor, North Hosur Road,
Near Codissia Tower,
Coimbatore – 641 018.

...Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Environment, Climate Change and Forests,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The Member Secretary,
State Environment Impact Assessment Authority-Tamil Nadu,
Panagal Maaligai,
Saidapet, Chennai – 600 015.
- 3.The State Expert Appraisal Committee, Tamil Nadu,
Second Floor,
Panagal Maaligai,
Saidapet, Chennai – 600 015.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the 2nd Respondent to consider the petitioner's representation dated 20.05.2022 and grant the Environmental Clearance to the petitioner for establishment of the common bio-waste treatment plat at Survey Nos.553/1B , 553/2A and 553/2B of Meyyur Village, Uthukottai Taluk, Thiruvallore District.

For Petitioner : Mr.AR.L.Sundaresn, Senior Counsel
for Mr.CT.Murugappan

For Respondents : Mr.T.Arun Kumar for R1
Additional Government Pleader

Mr.Venkatasamy Babu for R2 & R3
Senior Panel Counsel

ORDER

(Order of the court was delivered by R.Subramanian, J.)

The prayer in the Writ Petition reads as follows:

The petitioner seeks a direction to direct the 2nd Respondent to consider the petitioner's representation dated 20.05.2022 and grant the Environmental Clearance to the petitioner for establishment of the common bio-waste treatment plat at Survey Nos.553/1B , 553/2A and 553/2B of Meyyur Village, Uthukottai



Taluk, Thiruvallore District.

2.Mr.Venkataswamy Babu, learned Senior Panel Counsel appearing for the second and third respondent has filed a counter stating that request for environmental clearance made by the petitioner was rejected by the Committee as early as on 29.04.2022 and the same was communicated to the petitioner. From the grounds in the Writ Petition, we find that the petitioner is aware of the rejection order dated 29.04.2022. Therefore, a mandamus after a subsequent representation, in our opinion, is not maintainable. Hence, the Writ Petition is dismissed with liberty to the petitioner to challenge the order of rejection in the manner known to law. There shall be no order as to costs.

(R.S.M., J.)

(K.B., J.)

09.11.2022

Index: Yes/no

Internet: Yes/no

Speaking order: Yes/no

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To

- 1.The Secretary to Government,
Department of Environment, Climate Change and Forests,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The Member Secretary,
State Environment Impact Assessment Authority-Tamil Nadu,
Panagal Maaligai,
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- 3.The State Expert Appraisal Committee, Tamil Nadu,
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R.SUBRAMANIAN, J.
AND
K. KUMARESH BABU, J.

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