



W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019
and W.M.P.(MD) No.5796 of 2018 in W.P.(MD) No.5918 of 2018
and W.M.P.(MD) No.20360 of 2018 in W.P.(MD) No.22509 of 2018
and W.M.P.(MD) Nos.1454 to 1458 of 2019 in W.P.(MD) No.1702 of 2019

W.P.(MD) No.5918 of 2018:

S.P.Muthuraman

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu Limited (SIPCOT),
Represented by it's Chairman and Managing Director,
No.19, A, Rukmani Lakshmipathy Road,
Egmore,
Chennai – 600 008.

2.The State Industries Promotion Corporation
of Tamil Nadu Limited (SIPCOT),
Represented. by it's Project Officer,
SIPCOT Project Office,
Meelavittan,
Thoothukudi District - 628 008.

3.M/s.Sterlite Industries (India) Limited,
(Now name Changed as Vedanta Limited),
Represented by its Chairman,
Madurai Bye-Pass Road,
T.V.Puram Post,
Thoothukudi District - 628 002.



W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019

4.Ministry of Environment, Forest and Climate Change,
Government of India,
Represented by it's Secretary,
Indira Paryavaran Bhawan,
Jorbagh Road,
Aliganj,
New Delhi - 110 003.

5.Tamil Nadu Pollution Control Board,
Represented by it's Member Secretary,
No.76, Mount Salai,
Guindy, Chennai - 600 032.

6.Directorate of Town and Country Planning,
Represented by it's Commissioner,
No.807, Anna Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the the 1st respondent to cancel the lease deeds executed in favour of the 3rd respondent vide Doc.No.340/2009 dated 16.02.2009, Doc.No. 1669/2009 dated 07.10.2009 and Doc.No.25282/2010 dated 03.06.2010 by allotting the lands acquired by him vide G.O.(Ms).No. 233 Industries (MIG-II) Department dated 18.12.1996 to an extend of 654.42 Hectors at Therku Veerapandiyapuram and Meelavittan Villages, Thoothukudi District in the name of new Industrial Park called SIPCOT – II without obtaining Prior Environmental Clearance from the 4th respondent, Consent to Establish and Consent to Operate from the 5th respondent and layout approval from the 6th respondent.

For Petitioner

: Mr.R.Anand



W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019

For Respondents 1 & 2 : Mr.N.Adithya Vijayalayan
Standing Counsel

For Respondents 3 and 4 : No appearance

For 5th Respondent : Ms.Vijayakumari Natarajan

For 6th Respondent : Mr.P.Thilak Kumar
Government Pleader

W.P.(MD) No.22509 of 2018:

S.P.Muthu Raman

... Petitioner

Vs.

1.Ministry of Environment, Forest and Climate Change,
Government of India,
Represented by it's Secretary,
Indira Paryavaran Bhawan,
Jorbagh Road,
Aliganj,
New Delhi-110003.

2.Tamil Nadu Pollution Control Board,
Represented by its Member Secretary,
No.76, Mount Salai,
Guindy,
Chennai-600 032.

3.M/s.Vedanda Ltd.(Power Plant Division),
(Previously Known as M/s. Sterlite Industries (India) Ltd.,
Meelavittan Village,
Thoothukudi District,
Represented by its Chairman,
Madurai Bye-Pass Road,
T.V.Puram Post,
Thoothukudi District – 628 002.

... Respondents



W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents No. 1 and 2 to pass necessary orders stopping the operation of the Thermal Power Plant which is being operated by the 3rd respondent in the name and style of M/s.Vedanta Limited at Meelavittan Village, Thoothukudi District with an immediate effect on the strength of the petitioner's representation dated 14.09.2018.

For Petitioner	: Mr.R.Anand
For 1 st Respondent	: Ms.S.Ragaventhri Central Government Panel Counsel
For 2 nd Respondent	: Ms.Vijayakumari Natarajan
For 3 rd Respondent	: Mr.R.Parthasarathy

W.P.(MD) No.23837 of 2018:

S.P.Muthu Raman

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.Tamil Nadu Pollution Control Board,
Represented by its Member Secretary,
No.76, Mount Salai,
Guindy,
Chennai-600 032.
- 3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Thoothukudi District,



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No.C7 and C9, SIPCOT Complex,
Meelavittan,
Thoothukudi.

4.M/s.Vedanda Ltd.,
(Previously Known as M/s. Sterlite Industries (India) Ltd.,
Meelavittan Village,
Thoothukudi District,
Represented by its Chairman,
Madurai Bye-Pass Road,
T.V.Puram Post,
Thoothukudi District – 628 002. ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents No. 2 and 3 to institute a criminal prosecution as against the 4th respondent under Section 43 of Water (Prevention and Control of Pollution) Act, 1974 by taking into consideration of the petitioner's representation dated 07.05.2018 as expeditiously as possible particularly within the time stipulation as prescribed by this Hon'ble Court.

For Petitioner	: Mr.R.Anand
For 1 st Respondent	: Mr.P.Thilak Kumar Government Pleader
For Respondents 2 & 3	: Ms.Vijayakumari Natarajan
For 4 th Respondent	: Mr.Raguvaran Gopalan

W.P.(MD) No.1702 of 2019:

S.Mohan ... Petitioner

Vs.



W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019

- 1.The Home Secretary,,
State of Tamilnadu,
Home Department,
St.George Fort,
Secretariat,
Chennai – 600 009.
- 2.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai – 600 004.
- 3.The Inspector General of Police,
South Zone,
Natham Road,
Madurai – 625 002.
- 4.The Member Secretary,
District Legal Services Authority,
District Court Building,
Thoothukudi – 628 003.
- 5.The District Collector,
Thoothukudi District,
Thoothukudi.
- 6.The Superintendent of Police,
O/o. Superintendent of Police,
Thoothukudi District.
- 7.The Inspector of Police,
Srivaigundam Police Station,
Thoothukudi District.
- 8.The Joint Director,
Central Bureau of Investigation,
A-Wing, 3rd Floor,
Rajaji Bhavan, Besant Nagar,
Chennai – 600 090.
- 9.The Investigation Officer,,



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Central Bureau of Investigation,
Millarpuram,
West Thoothukudi Corporation,
Thoothukudi.

10. J.Michael Anto Jeenious

... Respondents

(R10 is impleaded vide Court Order dated
30/01/19 in WMP(MD)No.1595/19).

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the the respondents to ensure that the Right to peaceful assembly, association, expression, dissent and arrest and detention of persons in Thoothukudi District are strictly carried out as per our Constitutional mandate and as per the provisions of law of arrest as contained in the Criminal Procedure Code, 1973.

For Petitioner : Mr.Henri Tiphangne

For Respondents 1 : Ms.P.Thilak Kumar
Government Pleader

For Respondents 2, 3, 6 : Mr.T.Senthil Kumar
and 7

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ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

It is represented by learned counsel on either side that the matter in issue pertaining to W.P.(MD) Nos.5918, 22509 and 23837 of 2018 is sub-judice before the Hon'ble Supreme Court in S.L.P. No.10159 of 2020 etc. cases and there is nothing survives



W.P.(MD)Nos.5918, 22509, 23837 of 2018 and 1702 of 2019

for adjudication in W.P.(MD) No.1702 of 2019. Recording the same, these Writ Petitions are closed. No costs. Consequently, connected miscellaneous petitions are also closed.

[R.M.D., J.] [J.S.N.P., J.]
14.09.2022

Internet : Yes / No

Index : Yes / No

sj

To

- 1.The Secretary,
Ministry of Environment, Forest and Climate Change,
Government of India,
Indira Paryavaran Bhawan,
Jorbagh Road,
Aliganj,
New Delhi - 110 003.
- 2.The Home Secretary,,
State of Tamilnadu,
Home Department,
St.George Fort,
Secretariat,
Chennai – 600 009.
- 3.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai – 600 004.
- 4.The Inspector General of Police,
South Zone,
Natham Road,
Madurai – 625 002.



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- 5.The Member Secretary,
District Legal Services Authority,
District Court Building,
Thoothukudi – 628 003.
- 6.The District Collector,
Thoothukudi District,
Thoothukudi.
- 7.The Superintendent of Police,
O/o. Superintendent of Police,
Thoothukudi District.
- 8.The Inspector of Police,
Srivaigundam Police Station,
Thoothukudi District.
- 9.The Joint Director,,
Central Bureau of Investigation,
A-Wing, 3rd Floor,
Rajaji Bhavan, Besant Nagar,
Chennai – 600 090.
- 10.The Investigation Officer,,
Central Bureau of Investigation,
Millarpuram,
West Thoothukudi Corporation,
Thoothukudi.
- 11.The Commissioner,
Directorate of Town and Country Planning,
No.807, Anna Salai,
Chennai - 600 002.



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R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

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14.09.2022