



W.P.No.10058 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2023

CORAM :

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.10058 of 2023

and

W.M.P.Nos.10101 & 10102 of 2023

M/s.PSD Aqua
Rep. by its Proprietor,
Mr.G.Parasuraman,
Office at S.No.147/1D1. Me Street,
Pallalakuppam Village & Post,
Pernambur Taluk,
Vellore District 635 805

... Petitioner

Vs.

1. The Chaiman,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai 600 032
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Auxillum College Road,
(Opp to Auxillum College)
Gandhi Nagar, Vellore 632 006



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3. The Superintending Engineer,
Vellore EDC, TANGEDCO,
Gandi Nagar,
Vellore 632 006

4. The Junior Engineer / MelPATTY/2/83
Chekkumedu Street,
Melpatty Post, Gudiyatham Taluk,
Vellore District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of order dated 20.12.2022 passed by the Hon'ble National Green Tribunal (SZ) Chennai in Appeal No.62 of 2022 and the order issued by the 1st respondent Board in Proc. No. TNPCB / T2 /F.022566-17 / VLR / Closure / Water / 2022 dated 28.10.2022 and quash the same.

For Petitioner : Mr.K.S.Viswanathan,
Senior Counsel

For RR 1 & 2 : Mrs. Shanmugavalli Sekar,
Standing Counsel

For RR 3 & 4 : Mr.S.Madhusuthanan,
Standing Counsel



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ORDER

(Order of the Court was made by J.Nisha Banu, J.)

This writ petition has been filed seeking to quash the order dated 20.12.2022 passed by the Hon'ble National Green Tribunal (SZ) Chennai in Appeal No.62 of 2022, whereby the closure order issued by the 1st respondent Board in Proc. No. TNPCB / T2 /F.022566-17 / VLR / Closure / Water / 2022 dated 28.10.2022 was confirmed.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner, produced the “No Objection Certificate” issued by the Chief Engineer (SG& SWRDC), WRD, Tharamani, Chennai in Lr.No.DD(G)/OT 9/G-3/93/Fresh NOC/Vellore/2023 dated 31.07.2023 issued to the petitioner. The relevant paragraph is extracted hereunder:

“Please find the enclosed "No Objection Certificate", for drawal of groundwater to "M/s. PSD Enterprises", Kothapalli Village, Pernampattu Firka, Pernampattu Block, Pernampattu Taluk of Vellore District. As per the G.O.(Ms).No. 142. PW(R2) Dept, dt:23.07.2014, NOC for the water based industries must be renewed every year. You are requested to strictly adhere to the quantity permitted



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and conditions mentioned in the certificate and apply for renewal of NOC before two months from the date of expiry without fail. If you fail to apply for renewal of NOC, it will be treated as "illegal" and informed to District Monitoring Committee to seal the bore well in your unit as per Madras High Court orders in WP.No.28535/2014 & WP.No.16299/2018.”

3. In view of the “No Objection Certificate” issued by the Chief Engineer, (SG & SWRDC) WRD, Tharamani, Chennai 113, the respondents are directed to consider the request/ representation, if any, made by the petitioner for running of his unit and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B., J.) (N.M., J.)
10.08.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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To:

WEB COPY

1. The Chairman,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai 600 032
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Auxillum College Road,
(Opp to Auxillum College)
Gandhi Nagar, Vellore 632 006
3. The Superintending Engineer,
Vellore EDC, TANGEDCO,
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J.NISHA BANU, J.,
and
N.MALA, J.,

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Order made in
W.P.No.10058 of 2023

Dated:
10.08.2023