



WEB COPY



WP No.33087 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-03-2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.33087 of 2017

And

WPMP No.36509 of 2017

M/s.SKM Fly Ash Brick
Represented by its Partner Mr.K.Sathyanarayanan,
S/o.S.Krishnamurthy,
New No.5, Old No.W61/2,
4th Street, Anna Nagar,
Chennai-600 040. .. Petitioner

VS.

1.Union of India,
Represented by its Deputy Director,
Ministry of Environment and Forest,
146, Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi.



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2. Tamil Nadu Generation and Distribution Corporation Ltd.,

By its Chairman,
NPKKR Maaligai,
144 Anna Salai,
Chennai-600 002.

3. Chief Engineer/Civil Designs,

3rd Floor, Eastern Wing,
NPKKR Maaligai,
144 Anna Salai,
Chennai-600 002.

4. Ennore Thermal Power Station,

(Unit of Tamil Nadu Generation and
Distribution Corporation Ltd.),
Represented by its Chief Engineer,
Ennore,
Chennai-600 120.

5. North Chennai Thermal Power Station-II,

(Unit of Tamil Nadu Generation and
Distribution Corporation Ltd.),
Represented by its Chief Engineer,
Ennore,
Chennai-600 120.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 2 to 5 to supply 200 MT dry ESP Fly Ash, free of charges to the petitioner, from



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North Chennai Thermal Power Station, the respondent-5 herein, towards the deficit quantity, in terms of the Notification SO No.763 (E) Government of India, Ministry of Environment and Forest, as amended by Amendment Notification SO No.979 (E) dated 27.08.2003 and Amendment Notification SO No.2804 (E) dated 03.11.2009, Government of India, Ministry of Environment and Forest and the Office Memorandum dated 18.03.2011 and Amended Notification in SO No.254 (E) dated 25.01.2016.

For Petitioner	: Mr.Rathina Asohan
For Respondent-1	: Mr.J.Madana Gopal Rao, Central Government Standing Counsel.

ORDER

The learned counsel appearing on behalf of the writ petitioner made a submission that the relief sought for in the present writ petition has become infructuous.

2. In the light of the submission and also the endorsement made



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by the learned counsel for the petitioner, the present Writ Petition stands dismissed as infructuous. However, there shall be no order as to costs.

Consequently, the connected miscellaneous petition is also dismissed.

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Speaking Order/Non-Speaking Order.

Neutral Citation : Yes/No.

Internet : Yes/No.

Index: Yes/No.

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To

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- 1.The Deputy Director,
Union of India,
Ministry of Environment and Forest,
146, Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi.
- 2.The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
NPKKR Maaligai,
144 Anna Salai,
Chennai-600 002.
- 3.Chief Engineer/Civil Designs,
3rd Floor, Eastern Wing,
NPKKR Maaligai,
144 Anna Salai,
Chennai-600 002.
- 4.The Chief Engineer,
Ennore Thermal Power Station,
(Unit of Tamil Nadu Generation and
Distribution Corporation Ltd.),
Ennore,
Chennai-600 120.
- 5.The Chief Engineer,
North Chennai Thermal Power Station-II,
(Unit of Tamil Nadu Generation and
Distribution Corporation Ltd.),
Ennore, Chennai-600 120.



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S.M.SUBRAMANIAM, J.

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