



W.P.No.34310 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.34310 of 2017

T.Dhanasekaran

.. Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. by the Additional Chief Secretary
Ministry of Environment and
Forests (EC.3) Department
Secretariat, Fort St. George, Chennai – 9.
2. The Chairman
Tamil Nadu Pollution Control Board
76, Mount Salai
Guindy, Chennai – 600 032.
3. District Environment Engineer
Tamil Nadu Pollution Control Board
26, Ramakrishnapuram West
Karur District.
4. Assistant Engineer
Tamil Nadu Pollution Control Board
26, Ramakrishnapuram West
Karur District.



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5. The District Collector
Karur District.
6. The Inspector
District Survey Office
Karur Collectorate.
7. Coimbatore Institute of Technology
Department of Civil Engineering
Coimbatore – 641 014.
8. M/s.Asian Fabrix
Represented by its Managing Director
S.No.254/1, Karuppampalayam Village
Appipalayam Post
Karur District – 3.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records in G.O.(3D) No.8, Environment and Forest (EC3) Department dated 04.02.2014 on the file of the first respondent and quash the same as illegal and untenable by law and further direct the respondents to shutdown the eighth respondent's company.

For the Petitioner : No Appearance

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R1, R5 & R6

Ms.Shanmugavalli Sehal
Standing Counsel
for R2 to R4



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R7 not ready in notice

Mr.K.Suresh
for R8

ORDER

(Made by the Hon'ble Chief Justice)

None appears for the petitioner.

2. Heard Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 1, 5 & 6, Ms.Shanmugavalli Sehal, learned Standing Counsel for respondents 2 to 4 and Mr.K.Suresh, learned counsel for respondent 8.

3. The petitioner seeks a direction to quash the Government Order dated 04.02.2014, permitting expansion activities to the eighth respondent.

4. On the last date, we have directed the Pollution Control Board to inspect the premises of the eighth respondent and file a



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5. Status report is filed by the Tamil Nadu Pollution Control Board, which states that valid consent has been given by the Board to the eighth respondent on 10.05.2022, having validity period up to 31.03.2027. It is further submitted that the Unit was inspected on 06.07.2023 and the following observations were made:

"Based on the Hon'ble High Court order, the unit was inspected by TNPCB Officials of District Environmental Engineer, Karur District on 06.07.2023 and the following observations were made during inspection:

- a) The unit was under operation.*
- b) The production and effluent generation are within consented quality calculated based on the Board circular dated 12.03.2010.*
- c) The unit has provided Zero Liquid Discharge System with treatment sequence of Collection, Conventional Biological Treatment, followed by III Stage RO Plant, MEE (4 Effects), Sodium Sulphate Crystalliser and ATFD. The same were under operation.*



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d) *The treated trade effluent (RO Permeate, MEE and ATFD Condensate) is being recycled back to the process and disposes the final reject (MEE Concentrate) through ATFD.*

e) *The unit has provided Separate Energy meters for the ZLD plant.*

f) *The unit has provided 16 Nos. of EMFMs provided at the following points of the ZLDS components with Computer Recording facility.*

- I. Inlet of ETP.*
- II. UF Feed*
- III. UF Reject*
- IV. Inlet to RO I Feed*
- V. Inlet to RO II Feed*
- VI. Inlet to RO III Feed*
- VII. RO Combined Permeate*
- VIII. RO I Reject*
- IX. RO II Reject*
- X. RO III Reject*
- XI. Inlet of MEE*
- XII. Condensate of MEE*
- XIII. Concentrate of MEE / Inlet of ATFD*
- XIV. Reuse of RO Permeate for process*
- XV. Boiler Feed*
- XVI. Makeup water.*

g) *During Inspection, the readings of the EMFMs provided were verified with logbooks maintained by the unit. Further, TDS values are measured at various locations of ETP and ZLD system were observed as follows.*



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<i>Component / Stage</i>	<i>TDS Value (mg/l)</i>		
ETP:			
Collection Tank	4800		
Secondary Clarifier outlet	4800		
Tertiary Clarifier Outlet	4800		
RO Plant	I Stage	II Stage	III Stage
Feed	4800	15200*	29800*
Permeate	150	200	250
Reject	15200*	29800*	48000*
RO – combined Permeate	240		
MEE Feed	48000*		
MEE Condensate	240		
MEE Reject	2,90,000*		

** Above 10000 mg/l was measured with dilution.*

It was also observed that the entries made in the logbook represent the actual EMFM readings and the unit was found achieving Zero Liquid Discharge.

h) The unit authority has installed a Boiler – 14 T/Hr which is installed in the premises of M/s.Asian Fabricx Private Limited Printing and Bleaching Division, sister concern located adjacent to the unit.

i) The unit has provided a combined Sewage Treatment Plant for the treatment of 20KLD Sewage generated from both the Dyeing and Printing units.



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The combined Sewage Treatment Plant is located in the premises of M/s.Asian Fabricx Private Limited Printing and Bleaching Division. The treated sewage is disposed on land for gardening.

j) The unit has installed 725 KVA DG set with Acoustical enclosures with Stack as APC measures.

k) The unit has obtained Authorization under Hazardous and other wastes (Management and Transboundary Movement) Rules, 2016 vide proceedings

NoT5/TNPCB/F.0056KAR/HWA/RL/KAR/2020 dated 22.07.2020 valid up to 31.03.2025.

l) ETP sludge is disposed for co-processing in cement industry.

m) ATFD mixed salt is stored within the premises.

n) The unit is maintaining Hazardous Waste Form III and Form IV submitted annually.

o) During inspection the unit has an accumulated storage of ETP Sludge – 10.0T and ATFD mixed Salt-330 Tons stored within a shed in the premises.

p) To ascertain the performance of the ZLD plant the unit has installed Electro Magnetic Flow Meters at important locations and all flow meters



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are connected with Care Water System functioning at Corporate office, TNPCB, Chennai and continuous monitoring (24x7) is ensured through remote access using Internet.

q) The unit is regularly monitored by the O/o. DEE, TNPCB, Karur."

6. In view of the report of the Pollution Control Board, the grievance of the petitioner, now, cannot withstand.

7. In the light of the above, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.38181, 28182 & 38183 of 2017 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

25.07.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

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