



W.P.(MD)No.15226 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.15226 of 2023

and

W.M.P.(MD)Nos.12831 and 12834 of 2023

M/s.Re Sustainability Health Care Solutions Ltd.,
Previously Known as
Ramky Energy and Environment Ltd.,
Undurmikidakulam Village,
Mukkulam, Tiruchuli Taluk,
Virudhunagar District,
Rep. by its Project Head,
E.Udaya Kumar

... Petitioner

vs.

1.The Tamil Nadu Pollution Control Board,
Rep. By its Member Secretary,
No.76, Mount Salai,
Guindy, Chennai – 600 032.

2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.23, Collectorate Campus,
Virudhunagar – 626 002.

3.A.Thangapandi
[3rd respondent is impleaded as per order
of this Court, dated 31.08.2023, made
in W.M.P.(MD)No.17355 of 2023)

... Respondents



W.P.(MD)No.15226 of 2023

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for records relating to the impugned Online proceedings of the respondent Nos.1 and 2, dated 20.05.2023, set aside the same and consequently, direct the respondents to grant renewal of the orders of consent to operate and also authorization in favour of the petitioner's bio-medical waste treatment and disposal facility, situated at R.S.Nos.136 and 137 of Undurmikidakulam Village, Mukkulam, Tirchuli Taluk, Virudhunagar District.

For Petitioner : Mr.N.Dilipkumar

For Respondent Nos.1 and 2 : Mrs.Vijayakumari Natarajan

For Respondent No.3 : Mr.G.Prabhu Rajadurai

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.N.Dilipkumar, learned counsel appearing for the petitioner; Mrs.Vijayakumari Natarajan, learned Standing Counsel appearing for respondent Nos.1 and 2; and Mr.G.Prabhu Rajadurai, learned counsel appearing for respondent No.3.

2. We need not enter into the earlier history of litigation. It is submitted that the consent order to operate the petitioner's Unit, granted under the Water (Prevention and Control of Pollution) Act,



W.P.(MD)No.15226 of 2023

1974 and the Air (Prevention and Control of Pollution) Act, 1974, has expired on 31.03.2023 and thereafter, the Unit was closed.

3. The petitioner has already re-submitted the application, seeking renewal of consent order. It is not in dispute that the said application is pending with the Pollution Control Board.

4. Learned counsel for the Pollution Control Board submits that various conditions are required to be complied with. Even the people's participation is necessary and that can be only through the District Collector, that is why, time is required.

5. It is for the authorities to consider all the relevant aspects of the matter before a final decision is taken on the application for renewal. The application for renewal is already pending with the Pollution Control Board. The said application shall be decided on its own merits, in accordance with law and procedure, preferably, within a period of eight weeks from the date of receipt of a copy of this order.



W.P.(MD)No.15226 of 2023

6. With the above observation, the Writ Petition stands disposed of. There will be no order as to costs. Consequently, W.M.P. (MD)Nos.12831 and 12834 of 2023 are closed.

[S.V.G., CJ.]

[C.K., J.]

Index : Yes / No

31.08.2023

Neutral Citation : Yes / No
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(2/2)

To

- 1.The Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai – 600 032.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.23, Collectorate Campus,
Virudhunagar – 626 002.



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W.P.(MD)No.15226 of 2023

THE HON'BLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

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ORDER MADE IN
W.P.(MD)No.15226 of 2023
DATED : 31.08.2023
(2/2)