



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Tuesday, the Twenty Sixty day day of September Two Thousand and Twenty
Three
PRESENT

The Hon`ble Mr.Justice M.S.RAMESH
AND
The Hon`ble Mr.Justice M.NIRMAL KUMAR

WP(MD). No.19682 of 2021 and 12418 of 2023

Sunil Kumar

... Petitioner in both Wps.

Vs

1 The Prl.Secretary to the Government,
Department of Environment and Forest
Secretariat, Chennai.

2 The Chairman
Tamil Nadu Pollution Control Board Chennai

3 The District Collector
Kanyakumari District, At Nagercoil

4 The District Environmental Engineer Tamil Nadu Pollution
Control Board, Water Tank Road,
Kanyakumari District.

5 The Superintending Engineer,
Tamil Nadu Electricity Board,
Kanyakumari District.

6 The District Officer
Fire and Rescue Service,
Kanyakumari District.



7 The Deputy Director
Public Health and Disease Prevention
Kanyakumari District.

8 The Block Development Officer
Melpuram Panchayat Union,
Kanyakumari District.

9 The President
Mancode Panchayat, Kanyakumari District

10 Gladson Jeba

... Respondents in WP(MD)No.19682 of 2021

1. The Principal Secretary to Government,
Department of Environment and Forest,
Secretariat, Chennai.

2. The District Collector,
Kanyakumari District at Nagercoil.

3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board, Water Tank Road, Kanyakumari District.

4. The Superintending Engineer,
Tamil Nadu Electricity Board,
Kanyakumari District.

5. The Junior Engineer,
Tangedco/distribution,
Kannamamoodu, Kanyakumari District.

6. The District Officer,
Fire and Rescue Service,
Kanyakumari District.

7. The Deputy Director,
Public Health and Disease Prevention,
Kanyakumari District.



8. The Block Development Officer,
Melpuram Panchayat Union,
Kanyakumari District.

9. The President,
Mancode Panchayat,
Kanyakumari District.

10. Gladson Jeba

..Respondents in WP(MD) No.12418 of 2023

Prayer :-

This Writ petition is filed under article 226 of the constitution of India, to issue WRIT OF CERTIORARIFIED MANDAMUS calling for the entire records relating to the impugned order issued by the 4th Respondent in No.F.1519NGL/GS/DEE/TNPCB/NGL/W /2020 dated 12.07.2020 and the impugned order issued by the 6th in Pa.Mu.No.5366/A/2019 dated 09.08.2019 and the impugned order issued by the 7th Respondent in Pa.Mu.7185/A3/2019 dated 27.08.2019, quash the same consequently direct the Respondents 1 to 9 not to give any permission to the 10th Respondent for running Plastic Industry in S.No.486/2B situated at Puliyoorsalai Village, Vilavancode Taluk, Kanyakumari District by considering petitioners representation dated 11.10.2021.

Prayer in WP(MD). 12418/ 2023 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this
<https://www.mhc.tn.gov.in/judis>

Court Writ Petition filed under Article 226 of the Constitution of India, praying this



Court to issue a Writ of Mandamus, directing the 4th and 5th respondents herein to disconnect the electricity connection given to TELMIR INDUSTRIES situated in S.No. 486/2B at Puliyoorsalai Village, Vilavancode Taluk, Kanyakumari District, by considering the petitioners representation dated 12.05.2023.

ORDER:-

This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.Selvakumaran, Advocate for the Petitioner and of Mr.J.K.Jayaseelan, Government Advocate For R1,2,& 6 to 9, Government Advocate for the respondents Mr.Deenadhayalan, Standing Counsel, for r4 &5, Mr.R.Sundar for 10th respondent and M/S.Vijayakumari Natarajan, Advocate for 3rd Respondent, this Court made the following order:

In our earlier order dated 04.09.2023, when the Writ Petitions were rejected, we had directed for payment of cost to be paid on or before 24.09.2023. It is now brought to our notice that in the order dated 04.09.2023, the date for payment of such cost has been mistakenly entered as 29.08.2023, where the actual date ought to have been 24.09.2023.

2. The learned counsel for the petitioner would submit that since the order

was belatedly uploaded in the website, the petitioner seeks further time to pay the cost.



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3. In this connection, paragraph No.10 of our earlier order in W.P.(MD). Nos.19862 of 2021 and 12418 of 2023 dated 04.09.2023 is suo motu recalled and modified as follows:

“10. In the light of the above observations, both the writ petitions stand dismissed with cost of Rs.1,00,000/- (Rupees One Lakh only) payable to the credit of Current Account No.7567821433, (IFSC Code: IDIBI000H040), in the Indian Bank, High Court Branch, Madurai Bench of Madras High Court, Madurai, towards Kalaignar Centenary Library, on or before 31.10.2023. No costs. Consequently connected Miscellaneous Petitions are closed.”

4. In view of the aforesaid modification, the petitioner is granted time till 31.10.2023 for payment of the cost as ordered by us on 04.09.2023. Post the matter on 01.11.2023 for recording compliance.

Sd/-

Assistant Registrar(P&A)

// True Copy //

/10/2023

Sub Assistant Registrar(CS)

TO

1 The Prl.Secretary to the Government,
Department of Environment and Forest
Secretariat, Chennai.



2 The Chairman

Tamil Nadu Pollution Control Board Chennai

3 The District Collector

Kanyakumari District, At Nagercoil

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8. The Deputy Director
Public Health and Disease Prevention
Kanyakumari District.

9. The Block Development Officer
Melpuram Panchayat Union,
Kanyakumari District.

Copy to:

1. The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.



2.The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

3.The Officer Incharge,
Kalaingar Centenary Library, Madurai.

4.The Manager,
Indian Bank,
High Court Branch,
Madurai.

5.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.SELVAKUMARAN, Advocate (44865 dated 07/09/2023)

+2CC to M/s.R.SUNDAR, Advocate (SR-41557[F],41556 dated 05/09/2023)

+1CC to M/s.Vijayakumari Natarajan, Advocate, SR.No.41424

+1CC to M/s.S.Deenadayalan, Advocate, SR.No. 41696

ORDER DATED: 26/09/2023

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ORDER

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WP(MD).No.19682 of 2021

& 12418 of 2023

Giving direction and etc.

as stated within.

MGJ(06.10.2023) 7P 20C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023