



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)NO.21551 OF 2023
and
W.M.P(MD)No.17950 of 2023**

Muruganandham

:Petitioner

.VS.

- 1.The Chair Person,
Tamil Nadu Pollution Control Board,
76, Anna Salai, Guindy,
Chennai.
- 2.The Joint Chief Environmental Engineer(M),
Tamil Pollution Control Board,
25, SIDCO Industrial Estate,
Thuvady, Trichy -15.
- 3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot No.23, T.S.No.3303/1, SIDCO Industrial Complex,
Nanchikottai Salai, Opp. To Ulavr Santhai,
Thanjavur – 613 006.
- 4.The Assistant Executive Enginner(O and M) North,
Tamil Nadu Generation and Distribution Corporation Limited,
Kumbakonam,
Thanjavur District.

5.M.Marthanda Varman

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



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India, praying this Court to issue a Writ of Certiorari Mandamus calling for the records of the first respondent pertaining to its proceedings No.T4TNPCB/F.010626/OS/Kumb Closure/TNJ/Water/2023, dated 08.08.2023 and proceeding in No.T4 /TNPCB/ F.010626/OS/ Kumb. Closure/TNJ/Air/2023, dated 08.08.2023 and to quash the same as unsustainable in law and consequently to direct the fourth respondent to restore the power supply to the Petitioner's unit by name M/s.Speed Plus Car Care" in S.C.No.4900071839 forthwith.

For Petitioner :Mr.N.Balakrishnan

For Respondents :Mr.Vijayakumari Natarajan
2 and 3

ORDER

(Order of the Court was made by S.S.SUNDAR,J)

This Writ Petition is filed challenging the orders passed by the Tamil Nadu Pollution Control Board/first respondent, dated 08.08.2023, both orders under the Air(Prevention and Control of Pollution)Act, 1981 and Water(Prevention and Control of Pollution)Act, 1972.

2.Mr.Vijayakumari Natarajan, learned counsel takes notice for the respondents 2 and 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3.From the reading of the impugned orders, it is seen that the first respondent has passed the orders after issuing show-cause notice and by following the procedure as contemplated under the "Act". This Court finds that the reasons stated in the orders of the first respondent to issue such directions is within its domain. It is also admitted that as against the impugned orders passed by the first respondent, the Petitioner has an effective alternative remedy of filing an appeal before the appellate authority in terms of Section 28 of Water (Prevention and Control of Pollution)Act, 1974 and Section 30 of the Air(Prevention and Control of Pollution)Act, 1981.

4.In such circumstances, leaving it open to the appellant to approach the appellate authority for necessary relief, in the manner known to law, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

[S.S.S.R.,J.] [D.B.C,J.]
04.09.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
vsn



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S.S.SUNDAR, J.

AND

D.BHARATHA CHAKRAVARTHY, J.

vsn

ORDER MADE IN

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and

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