



WMP(MD) No.22810 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Sixth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice M.SUNDAR
and
The Hon`ble Mr.Justice R. SAKTHIVEL

WMP(MD) No.22810 of 2023
IN
WP(MD) No.26531 of 2023

MUTHU RAMAN.S.P

... PETITIONER

Vs

1 THE SECRETARY
MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE,
INDIRA PARYAVARAN BHAWAN,
JORBAGH ROAD,
ALIGANJ, NEW DELHI - 110 003.

2 THE MEMBER SECRETARY
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
TAMIL NADU,
3RD FLOOR, PANAGAL MAALIGAI,
NO.1, JEENIS ROAD,
SAIDAPET,CHENNAI - 600 015.

3 THE MEMBER SECRETARY
TAMIL NADU POLLUTION CONTROL BOARD,
NO.76, MOUNT SALAI,
GUINDY, CHENNAI - 600 032.

<https://www.mhc.tn.gov.in/judis>



WMP(MD) No.22810 of 2023

WEB COPY

4 THE DISTRICT ENVIRONMENTAL ENGINEER,
TAMIL NADU POLLUTION CONTROL BOARD,
PETTAI, TIRUNELVELI DISTRICT - 627 010.

5 TP SOLAR LIMITED
C/O.THE TATA POWER COMPANY LTD.,
CORPORATE CENTER, A BLOCK,
NO.34, SANT TUKARAM ROAD,
CARNAC BUNDER, MUMBAI.
HAVING ITS PRESENT UNIT IS AT
GANGAIKONDAN VILLAGE,
GANGAIKONDAN POST,
TIRUNELVELI DISTRICT -627 352.

... RESPONDENTS

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to dispense with the production of the original proceedings of the 3rd respondent dated 29.08.2022 as well as 09.08.2023 with regard to the grant of consent of establish vide Consent Orders No. 2201246833596 and Revised Consent Order No. 2302253605738 in favor of the 5th respondent for establishing 4GW Cell and Module Manufacturing Industry at Plot No. A-104-105 etc., Gangaikondan Village, Tirunelveli Taluk, Tirunelveli District so as to prefer a main writ petition before this Honble Court.

Prayer in WP(MD)No. 26531 of 2023:

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the proceedings of the 3rd respondent dated 29.08.2022 as well as 09.08.2023 with regard to the grant of consent of establish vide Consent Orders No. 2201246833596 and Revised Consent Order No. 2302253605738 in favor of the 5th respondent for establishing 4GW Cell and Module Manufacturing Industry at Plot No. A-104-105 etc., Gangaikondan Village, Tirunelveli Taluk, Tirunelveli District and quash the same and consequently direct the 3rd and 4th respondent to ensure that all the mandatory procedures set out in the EIA Notification dated 14.09.2006 do have the compliance on the part of the 5th respondent for establishing their such industry.



WMP(MD) No.22810 of 2023

ORDER : This Writ Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.ANAND R., Advocate for the petitioner and of MR.K.GOVINDARAJAN, Deputy Solicitor General of India for the 1st Respondent and of MR.N.DILIP KUMAR, Standing Counsel for the 2nd Respondent and of M/s.M.SUDHA RANI, Advocate for MRS.S.VIJAYAKUMARI NATARAJAN, Standing Counsel for the Respondents 3 & 4, the court made the following order:-

[Order of this Court was made by M.SUNDAR,J.,]

This order will now dispose of the captioned 'Writ Miscellaneous Petition' ['WMP'].

2. Captioned WMP has been filed with a prayer to dispense with production of the original proceedings of the 3rd respondent dated 29.08.2022 as well as 09.08.2023 with regard to the grant of consent to establish vide Consent Order No.2201246833596 and Revised Consent Order No.230225360578 in favour of the 5th respondent for establishing 4GW Cell and Module Manufacturing Industry at Plot No.A-104-105 etc., Gangaikondan Village, Tirunelveli Taluk, Tirunelveli District.

3. Mr.R.Anand, learned counsel on record for the petitioner is before us. Learned counsel submits that the petitioner did not possess the original impugned orders and that has necessitated filing of captioned WMP.

4. Considering the facts and circumstances of the case, nature of the matter and taking into account the fact that a photocopy of the impugned orders have been filed, the reason given i.e., that the petitioner did not possess the original impugned orders



WMP(MD) No.22810 of 2023

is accepted.

5. In the light of the narrative thus far, captioned CrI.MP is ordered as prayed for. There shall be no order as to costs.

sd/-
06/11/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSM
TO

1 THE SECRETARY
MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE,
INDIRA PARYAVARAN BHAWAN,
JORBAGH ROAD,
ALIGANJ, NEW DELHI - 110 003.

2 THE MEMBER SECRETARY
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
TAMIL NADU,
3RD FLOOR, PANAGAL MAALIGAI,
NO.1, JEENIS ROAD,
SAIDAPET, CHENNAI - 600 015.

3 THE MEMBER SECRETARY
TAMIL NADU POLLUTION CONTROL BOARD,
NO.76, MOUNT SALAI,
GUINDY, CHENNAI - 600 032.



WMP(MD) No.22810 of 2023

WEB COPY

4 THE DISTRICT ENVIRONMENTAL ENGINEER,
TAMIL NADU POLLUTION CONTROL BOARD,
PETTAI, TIRUNELVELI DISTRICT - 627 010.

ORDER
IN
WMP(MD) No.22810 of 2023
IN
WP(MD) No.26531 of 2023
Date :06/11/2023

PKP/JGB/SAR- /15.11.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023