



WEB COPY

W.P.(MD)No.22210 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.22210 of 2024
and
W.M.P.(MD)No.18771 of 2024**

- 1.P.Krishnakumar
- 2.M.Karuthapandi
- 3.K.Rajapandi
- 4.S.Pushpavalli
- 5.R.Vijayalakshmi
- 6.Rajeshwari
- 7.Rajammal

... Petitioners

-VS-

- 1.The State of Tamilnadu
by its The Chief Secretary,
Secretariat,
Fort st George,
Chennai.
- 2.The District Collector,
Virudhunagar District,
Virudhunagar.
- 3.The Inspector of Police,
Elayirampennai Police Station,
Virudhunagar District.

...Respondents



W.P.(MD)No.22210 of 2023

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pay compensation of Rs.20 Lakhs to the each petitioner based on the order dated 16.05.2023 passed by the National Green Tribunal, Principal Bench, New Delhi and also based on the representation made by the petitioners dated 13.08.2024 within the time as stipulated by this Court.

For Petitioner : Mr. N.Mariappan
For R-1 & R-2 : Mr. P.Thilak Kumar,
Government Pleader
For R-3 : Mr.B.Thanga Aravind,
Government Advocate (Criminal side)

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“To issue a Writ of Mandamus, directing the 1st respondent to pay compensation of Rs.20 Lakhs to the each petitioner based on the order dated 16.05.2023 passed by the National Green Tribunal, Principal Bench, New Delhi and also based on the representation made by the petitioners dated 13.08.2024 within the time as stipulated by this Court.”

2. The petitioners actually seek execution of the award made by the National Green Tribunal in the form of writ petition under Article 226 of the Constitution of India. Section 25 of the National Green Tribunal Act, 2010,

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provides for a methodology for execution of the award passed by it. Section 26 empowers the National Green Tribunal to award penalty up to Rs.10 crores for non compliance, apart from providing for imprisonment of the person responsible. We find that the most effective alternative remedy available to the petitioner.

3. Hence, the writ petition is dismissed. Leaving it open to the petitioner to approach the National Green Tribunal, under Section 25 and 26. We are sure that the National Green Tribunal will take appropriate action on being moved by the petitioner. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] [L.V.G., J.]

18.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml

To

- 1.The State of Tamilnadu
by its The Chief Secretary,
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Fort st George,
Chennai.
- 2.The District Collector,
Virudhunagar District,
Virudhunagar.
- 3.The Inspector of Police,
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