



W.P.Nos.3980, 3983, 3986 & 3989 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 25.02.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.P.Nos.3980, 3983, 3986 & 3989 of 2025

M/s Remmy Substrates India (P) Ltd
rep by its Executive Director Mr.L.Ramprakash
No.299/2, Kattampatti Village
Kinathukadavu Taluk
Coimbatore District 642 202

.. Petitioner in W.P.Nos.
3980 & 3983 of 2025

M/s Duinkop Enterprises Private Ltd-Unit 1
rep by its Director Mr.M.Jayachandran
No.58/1, Palladam Pollachi Main Road
Kattampatti Village
Kinathukadavu Taluk
Coimbatore District 642 202

.. Petitioner in W.P.Nos.
3986 & 3989 of 2025

v.

1. A.Thiyagaraj
2. The Tamil Nadu Pollution Control Board
rep by its Chairman, Corporate Office
No.76, Mount Road, Guindy
Chennai 600 032



W.P.Nos.3980, 3983, 3986 & 3989 of 2025

3. The District Environmental Engineer
Coimbatore South
Tamil Nadu Pollution Control Board
Plot No.E-55A, Kuruchi, SIDCO Industrial Estate
Pollachi Main Road
Coimbatore 641 021

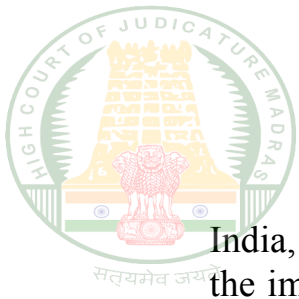
.. Respondents in all WPs

W.P.No.3980 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the impugned order dated 29.07.2024 passed in R.A.No.03 of 2024 (SZ) in I.A.No.26 of 2024 (SZ) in Appeal No.22 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern Zone at Chennai and quash the same and consequently dismiss the Appeal No.22 of 2024 (SZ) on the file of the learned National Green Tribunal, Southern Zone at Chennai, as statutorily time barred.

W.P.No.3983 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the impugned order dated 29.07.2024 passed in R.A.No.06 of 2024 (SZ) in I.A.No.30 of 2024 (SZ) in Appeal No.25 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern Zone at Chennai and quash the same and consequently dismiss the Appeal No.25 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern zone at Chennai, as statutorily time barred.

W.P.No.3986 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the impugned order dated 29.07.2024 passed in R.A.No.05 of 2024 (SZ) in I.A.No.29 of 2024 (SZ) in Appeal No.24 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern Zone at Chennai and quash the same and consequently dismiss the Appeal No.24 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern Zone at Chennai, as statutorily time barred.

W.P.No.3989 of 2025 is filed under Article 226 of the Constitution of



W.P.Nos.3980, 3983, 3986 & 3989 of 2025

India, praying for issuance of a Writ of Certiorari, calling for the records of the impugned order dated 29.07.2024 passed in R.A.No.01 of 2024 (SZ) in I.A.No.25 of 2024 (SZ) in Appeal No.20 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern Zone at Chennai and quash the same and consequently dismiss the Appeal No.20 of 2024 (SZ) on the file of the Learned National Green Tribunal, Southern Zone at Chennai, as statutorily time barred.

For Petitioners :: Mr.T.Gowthaman
Senior Counsel for
Mr.S.A.Sayed Shuhaibb

For Respondents :: Mr.A.Yogeswaran for
Mr.R.Prabakar for R1
Mr.S.Sai Sathya Jith
Standing Counsel for R2 & R3

COMMON ORDER

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

The review order dated 29.07.2024 passed by the National Green Tribunal, Southern Zone at Chennai is sought to be assailed in the present writ proceedings.

2. The issue relating to condonation of delay has been raised before the Tribunal. The Tribunal initially found that the delay is uncondonable, in view of the limitation prescribed under the Act. Subsequently, review



W.P.Nos.3980, 3983, 3986 & 3989 of 2025

applications were filed by the first respondent. The review applications were allowed by condoning the delay stating that an error crept in while passing the original orders in the appeal.

3. The learned Senior Counsel appearing on behalf of the writ petitioners would mainly contend that no notice was issued to the writ petitioners, who are all the respondents before the Tribunal. The delay to be condoned itself is a disputable issue and therefore an opportunity is to be afforded to the writ petitioners to put forth their case before the Tribunal.

4. The learned counsel appearing for the first respondent has no serious objection for adjudication of issues on merits including condonation of delay and the sufficiency of cause to be considered, by the Tribunal.

5. In view of the fact that the Tribunal has not granted an opportunity to the writ petitioners, we are inclined to interfere with the order impugned. Accordingly, the impugned common order dated 29.07.2024 passed in the



W.P.Nos.3980, 3983, 3986 & 3989 of 2025

WEB COPY

review applications is set aside and the matters are remanded back to the Tribunal for fresh adjudication by affording opportunity to the parties and to pass orders on merits and in accordance with law. It is needless to state that all the related issues also deserve to be considered by the Tribunal on merits. The writ petitions are allowed. Consequently, W.M.P.Nos.4430, 4432, 4433 & 4437 of 2025 are closed. No costs.

Index : yes

(S.M.S.,J.) (K.R.S.,J.)

Neutral citation : yes/no

25.02.2025

SS

To

1. The Registrar
National Green Tribunal
Southern Zone, Chennai
2. The Chairman
Tamil Nadu Pollution Control Board
Corporate Office, No.76, Mount Road, Guindy
Chennai 600 032
3. The District Environmental Engineer
Coimbatore South
Tamil Nadu Pollution Control Board
Plot No.E-55A, Kuruchi SIDCO Industrial Estate
Pollachi Main Road, Coimbatore 641 021



WEB COPY



W.P.Nos.3980, 3983, 3986 & 3989 of 2025

S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

W.P.Nos.3980 of 2025 etc.

25.02.2025