



W.P.No.5813 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.5813 of 2024

&

W.M.P.Nos.6449, 6451 & 6453 of 2024

S.T.Sivagnanan

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Environment, Climate Change and Forests Department
Secretariat, Fort St. George
Chennai 600 009.
2. The District Collector
Office of the District Collector
7/1, State Bank Rd
Gopalapuram
Coimbatore 641 018.
3. The Superintendent of Police, Coimbatore
State Bank Rd, Gopalapuram
Coimbatore 641 018.
4. The Tamil Nadu Pollution Control Board
Rep. by its Chairman
No.74, Anna Salai, Guindy
Chennai 600 032.



W.P.No.5813 of 2024

WEB COPY

5. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Coimbatore South
Plot No.E55A, SIDCO Industrial Estate
Pollach Main Road, Kuruchi
Coimbatore 641 021.

6. The District Forest Officer
Tamil Nadu Forest Academy Campus
Vanaviyal College
Coimbatore 641 043.

7. Isha Foundation
Rep. by its Trustee
Velliangiri Foothills
Ishana Vihar Post
Coimbatore 641 114.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 6 to take appropriate action to stop the discharge of sewage and effluents by the 7th respondent into the neighbouring lands of the petitioner in S.No.1080/1 including but not limited to lands comprised in S.Nos.1080/2E, 2F, 2H, 2J and 2K, Ikkarai Booluvampatti Village, Coimbatore South and further direct them not to issue any permission/license to the 7th respondent to conduct any festivals or gathering without making appropriate arrangements for the discharge of sewage and effluents in a proper manner and making proper arrangements to prevent the disturbance to the animals in the nearby Velliangiri forest area.



W.P.No.5813 of 2024

WEB COPY

For Petitioner : Mrs.Chitra Sampath
Senior Counsel
For Mr.Aravind J

For Respondents : Dr.T.Seenivasan
Spl. Govt. Pleader (Forest)
for Respondents 1 & 6

Mr.K.Karthik Jegannath
Government Advocate
for Respondent-2

Mr.Muniyapparaj
Additional Public Prosecutor
for Respondent-3

Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.V.Gunasekar
Standing Counsel
for Respondents 4 & 5

Mr.Sathish Parasaran
Senior Counsel
For Mr.K.Gowtham Kumar
for Respondent-7

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

This petition was filed by petitioner seeking a direction to



W.P.No.5813 of 2024

WEB COPY

official respondents to take appropriate action to stop the discharge of sewage and effluents by seventh respondent into the neighbouring lands of petitioner in S.No.1080/1, including but not limited to lands comprised in S.Nos.1080/2E, 2F, 2H, 2J and 2K, Ikkarai Booluvampatti Village, Coimbatore South and further direct them not to issue any permission/license to seventh respondent to conduct any festivals or gathering without making appropriate arrangements for the discharge of sewage and effluents in a proper manner and making proper arrangements to prevent the disturbance to the animals in the nearby Velliangiri forest area.

2. In this petition, this Court had directed respondent Pollution Control Board to file counter. The contents of the counter affidavit show that certain deficiencies were found, for which, directions were issued to remove those deficiencies.

3. While matter stood thus, petitioner filed a fresh petition seeking similar reliefs, which came to be dismissed by order dated 24.02.2025.



W.P.No.5813 of 2024

WEB COPY

4. It appears that petitioner, taking it to be a continuing cause of action of pollution by seventh respondent, filed fresh petition, as new events were being conducted by seventh respondent. Prayer made in the said writ petition was for issuance of a direction to official respondents to initiate appropriate action against 7th respondent for operating its facilities without adequate sewage treatment facilities, for discharging untreated sewage, causing pollution, for causing severe noise pollution in violation of the Noise Pollution (Regulation and Control) Rules, 2000 and desist from issuing any permission to seventh respondent for conducting various events alleging violation of laws.

5. In the aforesaid petition, this Court directed the Tamil Nadu Pollution Control Board to submit a report with reference to the allegations raised in the petition and a detailed counter affidavit was filed by the Tamil Nadu Pollution Control Board. This Court perused the report and then proceeded to make the following observations:

“6. Perusal of the entire counter affidavit filed by the



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W.P.No.5813 of 2024

Tamil Nadu Pollution Control Board reveals that adequate facilities are provided in the premises by the 7th respondent to manage the Maha Sivarathri Programme. It is further contended that the ROA of the ANL survey reveals that the ambient noise level was within the standard as prescribed by the Board. The ambient noise level standards considered for the non-planned area is taken into consideration. The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the Ambient Noise Standards for the area or 75 dB (A) whichever is lower. The entire averments set out in the counter affidavit reveals that the 7th respondent has submitted adequacy report obtained from Government College of Technology, Coimbatore for all four STPs.

7. Pertinently, there is no complaint petition has been received from public regarding air, water and noise pollution. The yoga centre has necessary infrastructure facilities to handle solid, liquid and noise pollution during Maha Sivarathri function. In paragraph No.41 of the counter affidavit, the Member Secretary, Tamil Nadu Pollution Control Board has stated that the 7th respondent Yoga Centre has adequate facility to handle the liquid and solid waste generated during function. It has also followed Noise Rules. Beyond that, it is stated that ANL survey will be



WEB COPY



W.P.No.5813 of 2024

conducted on 26.02.2025 and 27.02.2025 (day and night) during the forthcoming Maha Sivarathri Festival Programme.

8. No doubt, the present writ petition has been filed with certain apprehensions that the 7th respondent may cause noise pollution and inadequate facilities are provided in sewage blocks. When the Tamil Nadu Pollution Control Board filed a counter affidavit stating that the 7th respondent is having adequate facility to handle solid, liquid and noise pollution during Maha Sivarathri Function, there is no reason to consider the apprehensions raised by the petitioner.”

6. It is, thus, clear that while the present petition is pending and the issue as to whether seventh respondent was continuing to discharge untreated sewage water into the lands of petitioner is yet to be decided, in the second petition, inspection conducted by the Tamil Nadu Pollution Control Board and the report submitted before the Court were found satisfactory.

7. That eventually led to the dismissal of second writ petition.



W.P.No.5813 of 2024

WEB COPY

8. In view of the dismissal of the subsequent petition, in our view, nothing survives for consideration in the present petition. This petition is, therefore, dismissed. There shall be no order as to costs. Consequently, the interim applications are also dismissed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
09.09.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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Environment, Climate Change and Forests Department
Secretariat, Fort St. George
Chennai 600 009.
2. The District Collector
Office of the District Collector
7/1, State Bank Rd



W.P.No.5813 of 2024

WEB COPY

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