



W.P.No.5534 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.No.5534 of 2014
and M.P.No.1 of 2014

E.Janatha

... Petitioner

-vs-

1.The Government of Tamil Nadu
represented by the Secretary to Government,
Environment & Forests Department,
Fort St. George, Chennai 600 009.

2.The Member – Secretary
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai 600 032.

... Respondents

PRAYER: Writ petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the second respondent



W.P.No.5534 of 2014

in Proc.No.TNPC Bd/Per/P5/003752/2014 dated 07.02.2014 and
quash the same and direct the second respondent to restore the pay
fixation as existed prior to the issue of the impugned order and grant
all consequential benefits to the petitioner.

For Petitioner : Mr.P.Rajendran

For Respondent 1 : Mr.R.Murthi,
Government Advocate

For Respondent 2 : Mr.Madhuri Donti Reddy, SC

ORDER

An order of recovery dated 07.02.2014 is the subject of challenge in this writ petition. Such challenge is primarily on the ground that the petitioner was not provided a reasonable opportunity before such order was issued. Both learned counsel for the petitioner and learned counsel for the second respondent submit that the issue arising for consideration in this writ petition was considered in a batch of earlier cases in *W.P.Nos.32492 to 32497 of 2013*, order dated 31.08.2020,



W.P.No.5534 of 2014

C.Kasthuri v. The Government of Tamil Nadu and another. By following the said order, the order impugned herein is quashed and the matter is remanded for re-consideration of the second respondent. Such re-consideration shall be undertaken after putting the petitioner on notice and providing a reasonable opportunity to the petitioner.

2. Therefore, W.P.No.5534 of 2014 is disposed on these terms without any order as to costs. Consequently, the connected M.P.No.1 of 2014 is also closed.

23.01.2025

rna

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

To

1.The Secretary to Government, Environment & Forests Department,
Fort St. George, Chennai 600 009.

2.The Member – Secretary, Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai 600 032.

3/4



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W.P.No.5534 of 2014

SENTHILKUMAR RAMAMOORTHY,J

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W.P.No.5534 of 2014
and M.P.No.1 of 2014

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