



Crl.M.P.No.16019 of 2025 in Crl.O.P.No.11679 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.16019 of 2025
in Crl.O.P.No.11679 of 2025

Tamilnadu Pollution Control Board
Represented by its District Environmental Engineer,
Dr.M.Senthil Kumar,
Tirupur North, II Floor,
Kumaran Commercial Complex,
Kumaran Road,
Tirupur District - 641 601.

... Petitioner

Vs

M/s.Modenik Lifestyle Private Limited,
Represented by its Chief Financial Officer,
Mr. Manish Daga,
SF No.505/1 Part 3, Part 4 part,
506/1 part, 2 part, 3 part
and 507/1 part, 2 part, Chengapalli Village,
Uthukuli Taluk, Tirupur District

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to Recall the order dated 17.04.2025 passed in Crl.OP.No.11679 of 2025 and to Restore the petition to file and list it for fresh hearing.

For Petitioner : Mr.P.Kumaresan



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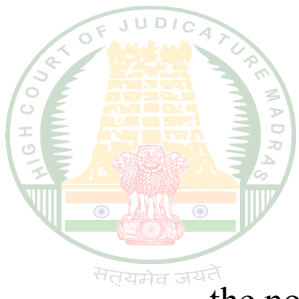
Additional Advocate General
assisted by Mr.V.Gunasekar
Standing Counsel for TNPCB
For Respondent : Mr.M.Mohamed Riyaz
for Mr.D.Raghu

ORDER

This Criminal Miscellaneous Petition has been filed to recall the order dated 17.04.2025 passed in Crl.OP.No.11679 of 2025.

2. It is seen that this petition has been filed, on the ground that this Court quashed the private complaint on the strength of the notification dated 22.12.2014 and the said notification was quashed by the Hon'ble Division Bench of the High Court of Kerala at Ernakulam and subsequently, it was confirmed by the Hon'ble Supreme Court of India. In fact, another subsequent notification was also issued in the month of January, 2025 and the same was also issued for granting exemption for certain areas. However, it was also set aside by the Hon'ble Supreme Court of India.

3. This Court quashed the private complaint on the strength of



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the notification dated 22.12.2014. Therefore, it cannot be recalled.

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4. Accordingly, this Criminal Miscellaneous Petition is dismissed. However, the petitioner is at liberty to proceed in accordance with law, as against the unauthorized constructions if any.

22.09.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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G.K.ILANTHIRAIYAN. J.

mn

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22.09.2025