



WEB COPY



W.P.No.33065 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM

THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.33065 of 2024

and

Writ Miscellaneous Petitions Nos.35828 & 35829 of 2024

K. Govindasamy

... Petitioner

Vs.

1. The Chairperson,
Tamil Nadu Pollution Control Board,
No.100, Mount Salai,
Guindy, Chennai – 600 032.
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Collectorate Campus,
Near Tamil Nadu Civil Supplies Corporation,
Namakkal 637 003.
3. The Superintending Engineer,
TANGEDCO (Distribution Circle)
Namakkal District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the



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order dated 17.10.2024 made in Appeal No.20 of 2023 (SZ) passed by the Hon'ble National Green Tribunal, Southern Zone, Chennai and quash the same.

For Petitioner : Mr. V. Kalyana Raman
For Mrs.Aiyar and Dolia

For R1 & R2 : Mr. S. Sri Sathyajith,
Senior Counsel for TNPCB

For R3 : Mr. S. Kalaiselvan,
Senior Counsel for TANGEDCO

ORDER

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

The writ petition has been instituted challenging the order dated 17.10.2024 passed by the National Green Tribunal Southern Zone, Chennai in Appeal No.20 of 2023.

2. The petitioner is the Proprietor of M/s. Govindasamy Poultry Farm. Based on the complaint, the Pollution Control Authorities found violations and initiated further actions. Thus, the petitioner approached the National Green Tribunal. The National Green Tribunal passed an order in Paragraph No.27 as under:



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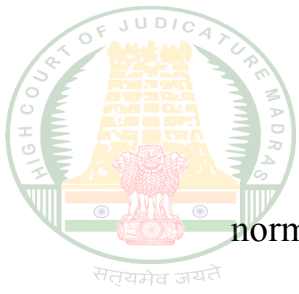
“ In the result,

(I)The appellant is directed to comply with the directives issued by the Tamil Nadu Pollution Control Board with reference to the environmental norms listed in Clause 5 and 6 of the CPCB Guidelines within a period of 4 (four) weeks, during which period, the interim protection granted by this Tribunal on 12.09.2023 only to restore the power supply will continue.

(II)It is open to the appellant to comply with the directions relating to environmental norms and report compliance to the TNPCB before the time granted in this order.

(III)If the directions of the TNPCB relating to environmental norms are not complied with by the appellant, the interim protection given by this Tribunal would automatically cease to operate.”

3. With reference to the directions issued by the National Green Tribunal, the respondents filed a counter affidavit before this Court stating that the petitioner has complied with the violations except independent composting facilities to be provided in the unit. Since it is a mandatory



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norms contemplated under the regulations, the petitioner has to comply with the said violations as stated by the Tamil Nadu Pollution Control Board.

4. In view of the above fact, the petitioner is at liberty to comply with the violations as stated by the Tamil Nadu Pollution Control Board and submit a report to the Board, enabling them to take final decisions or to give clearance as required under law.

5. With these observations, the writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions also stands closed.

(S.M.S., J.) (K.R.S., J.)
25.02.2025

ssi
Index: Yes
Speaking Order: Yes/No
Neutral Citation Case : Yes/No



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