



W.P.No.41752 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.41752 of 2025

&

W.M.P.Nos.46801 & 46802 of 2025

R. Kavin

.. Petitioner

Vs.

1. The State of Tamil Nadu
Represented by its Principal Secretary to Government
Environment, Climate Change and Forests Department
Fort St. George, Secretariat, Chennai - 600009.
2. The State of Tamil Nadu
Represented by its Additional Chief Secretary to Government
Water Resources Department
Fort St. George, Secretariat
Chennai - 600009.
3. Tamil Nadu Pollution Control Board (TNPCB)
Represented by its Chairman
No. 76, Mount Road, Guindy
Chennai - 600032.
4. The Joint Chief Environmental Engineer (M) Salem Zone
Tamil Nadu Pollution Control Board
No,9, 4th Cross Street, Brindavan Road
Fairlands, Salem - 636016.



W.P.No.41752 of 2025

5. The Joint Chief Environmental Engineer (M)
Tamil Nadu Pollution Control Board
4th Floor, No.34, Bharathi Park
8th Cross Street, Saibaba Colony
Coimbatore – 641011.
6. The District Collector
Erode District
Erode – 638011.
7. The District Collector
Near Tamil Nadu Civil Supplies Corporation
Namakkal District- 637 003.
8. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Plot No.815, SIDCO Industrial Estate
Kalyanasundaram Street
Chennimalai Road, Erode – 638009.
9. The State of Tamil Nadu
Represented by its Principal Secretary to Government
Animal Husbandry, Dairying, Fisheries and
Fishermen Welfare Department,
Fort St. George, Secretariat
Chennai - 600009.
10. Central Pollution Control Board
Regional Directorate (Chennai)
2nd Floor, 77"A, South Avenue Road
Ambattur Industrial Estate
Chennai- 600 058.
11. The Municipal Commissioner
Erode Municipal Corporation
246/895, SH-96, Brough Rd
NMS Compound, Erode Fort
Erode - 638 001.



W.P.No.41752 of 2025

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12.The Municipal Commissioner
Pallipalayam Municipality
5, Sankagiri Bypass Road
Pallipalayam
Erode District - 637 210.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus,

(a) Direct the respondents to strictly comply with G.O.Ms.No. 213, dated 30.03.1989, and G.O.Ms.No. 127, dated 08.05.1998 to review the industries already operating within the prohibited area and take appropriate steps for the relocation of such industries and further direct the respondents to permanently prohibit the establishment and functioning of any new industries within the said prohibited area;

(b) Direct the Respondents to take immediate and effective action to prohibit industries and municipalities from discharging both treated and untreated effluents into the Rivers Kaveri, Bhavani, Kalingarayan Canal, and other water bodies, in violation of the relevant Rules and Regulations, Zero Liquid Discharge (ZLD) norms and permissible limits by effectively implementing the Solid Waste Management Rules, 2016, Under Ground Sewage Scheme and Other Waste Management Rules in letter and spirit to safeguard the quality of surface and groundwater resources, prevent contamination from industrial waste, and protect the ecosystem and public health from serious environmental and health hazards;

(c) Direct the respondents to constitute an independent panel comprising Government Officers and environmental experts including Environmental Engineers, Scientists, Hydrologists, and Public Health Specialists and other relevant expert members, along with representatives from the affected communities to monitor the industries situated near kaveri river and identify the sources of pollution, and deficiencies in existing pollution control mechanisms and strengthen the pollution control infrastructure by ensuring their



W.P.No.41752 of 2025

effective functioning and proper maintenance and to recommend immediate and long-term measures for the restoration and protection of the Kaveri and Bhavani Rivers, Kalingarayan Canal;

(d) Direct the Respondents herein to establish a permanent monitoring mechanism to prevent discharge of untreated industrial sewage into the Kaveri and Bhavani Rivers, Kalingarayan Canal, ensuring compliance with zero discharge norms and other applicable environmental standards by installing CCTV cameras along the river stretch to monitor and prevent illegal activities and by utilizing real-time surveillance mechanisms such as drones, and take stringent action against offenders, industries as well as authorities who fail to meet compliance standards, including civil and criminal action, imposing penalties, environmental compensation to affected individual and ordering closure of industries in cases of repeated and persistent violations; and

(e) Direct the Respondents to formulate and implement a comprehensive action plan for the restoration and rejuvenation of the Kaveri and Bhavani Rivers, Kalingarayan Canal incorporating specific measures for the removal of existing pollutants, revival and conservation of aquatic ecosystems, and the establishment of effective mechanisms to prevent future pollution.

For Petitioner : Mr.P.A.Arvinth Viveks

For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for Respondents 1, 2, 6, 7 & 9

Mr.V.Gunasekar
Standing Counsel
for Respondents 3 to 5, 8 & 10

Mr.M.Rajamathivanan
Standing Counsel
for Respondents 11 & 12



WEB COPY



W.P.No.41752 of 2025

ORDER

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

Petition, making allegations of illegal operation of industries in certain areas, if we may say so, is too wide and equally vague. The contents of petition show that various inspections and survey have been carried out and in many cases, notices have been issued for taking action. Many of the industries have closed down also.

2. Which particular industry is illegally operating and no action has been initiated or if any action initiated, proceedings have not been concluded, is not clear from the petition. There is neither any specific allegation against any industry nor such industry has been impleaded as party in the petition.

3. In the circumstances, we are not inclined to entertain this petition in the present form.

4. If petitioner comes out with a specific allegation against the



W.P.No.41752 of 2025

respondents that they have either not initiated any action or not concluded it, even though in the report some irregularity or contravention was found against any particular industry, petitioner may approach this Court, in case he does not receive any information under the Right to Information Act with regard to action taken in respect of those industries, which, upon notice, may, from time to time, have been found illegally operating in contravention of regulatory laws.

5. With the above liberty, petition is dismissed. There shall be no order as to costs. Consequently, the interim applications are also dismissed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
11.11.2025

Index : Yes/No
Neutral Citation : Yes/No

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W.P.No.41752 of 2025

WEB COPY

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W.P.No.41752 of 2025

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W.P.No.41752 of 2025

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