



W.P(MD)No.15300 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

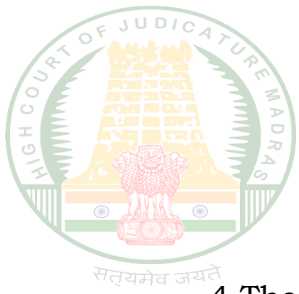
**W.P(MD)No.15300 of 2020
and
W.M.P(MD)Nos.12864 and 12865 of 2020**

M.S.Rajeswaran

... Petitioner

Vs.

- 1.Union of India,
Rep. by its Secretary,
Ministry of Environment and Forest and
Climate Change,
Indira Parayavaram Bhawan,
Jarbagh Road, New Delhi – 110 003.
- 2.The Chairman,
The Central Pollution Control Board,
PariveshBhavan,
East Arjun Nagar,
Delhi – 110 032.
- 3.Union of India,
rep. by its Secretary,
Ministry of Finance,
North Black, Department of Revenue,
New Delhi – 110 001.



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4.The Chairman

Central Board of Indirect Taxes and Customs,
Wing 5 “C” HUNDCO Vishala Building,
Bhikalicama Place, R.K.Puram,
New Delhi.

5.The Commissioner of Customs,
Customs House, New Harbour Estate,
Tuticorin – 628 004.

6.The Chairman

Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy,
Chennai – 600 032,
State of Tamil Nadu.

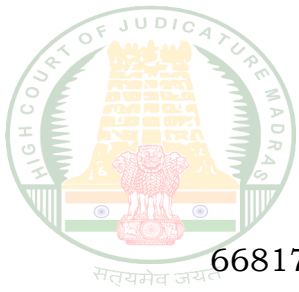
7.M/s Black Gold Technologies,
Rep. by its Proprietor Mr.Anuj Bansal,
UP-58, Maurya Enclave, Pitampura,
Delhi – 110 034.

8.M/s Solves Renewables and Green Energy Pvt. Ltd.,
Rep. by its Director, Shri, Vinay,
Subramanian, No.58, Sripuram Street,
Addison Nagar, Mangadu,
Chennai 600 122.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents

a) to release the imported goods namely Waste tyre scrap covered under Bill of Entry no.6099943 (824.900 MT Viz 33x40 containers) dated 16.12.2019 and Bill Entry No.6249836 (159 MTS Viz 6 containers) dated 26.12.2019 and Bill of Entry No.6635092 (124 Tons Viz 5 containers) dated 25.1.2020 and Bill of Entry No.



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6681746 (272 Tons Viz 11 containers) dated 29.1.2020 and Bill of Entry No.6635093 (404.942 Tons Viz 16 containers) dated 25.1.2020 and Bill of Entry No.6795909 (201.409 Tons Viz 9 containers) dated 7.2.2020 and Bill of Entry No.6635238 (269.402 Tons Viz 10 containers) dated 25.1.2020 and Bill of Entry No.6795906 (238.747 Tons Viz 10 containers) 07.02.2020 and Bill of Entry No. 6808776 dated 08.02.2020 imported by the 7th and 8th respondents respectively only on certification by the competent authority that the imported goods are not hazardous in nature and on issuance of No objection Certificate (NOC) by the Ministry of Environment, Forest and Climate Change

b) to ensure strict compliance of rule 18 and 19 of Hazardous Waste Management Rules 2016 in transportation of imported goods covered under the bill of entries No. 6099943, (824.900 MT Viz 33x40 containers) dated 16.12.2019, and Bill Entry No. 6249836 (159 MTS Viz 6 Containers) dated 26.12.2019, and Bill of Entry No. 6635092 (124 Tons Viz, 5 Containers) dated 25.01.2020, and Bill of Entry No. 6681746 (272 Tons Viz, 11 Containers) dated 29.01.2020, and Bill of Entry No. 6635093 (404.942 Tons Viz, 16 Containers) dated 25.01.2020, and Bill of Entry No. 6795909 (201.409 Tons Viz, 9 Containers) dated 07.02.2020. and Bill of Entry No. 6635238 (269.402 Tons Viz, 10 Containers) dated 25.01.2020, and Bill of Entry No. 6795906 (238.747 Tons Viz, 10 Containers) dated 07.02.2020, and Bill of Entry No. 6808776 dated 08.02.2020 filed by the 7th respondents Black Gold Technologies and 8th Respondent Solvex Renewable and Green Energy Pvt Ltd., respectively in the event of release of subject goods.



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c) to take action against the concerned custom official who consciously omitted to initiate proceeding against the importers namely the 7th respondents Black Gold Technologies and 8th Respondent Solvex Renewable and Green Energy Pvt Ltd in respect of Bill of Entry No.6099943, (824.900 MT Viz 33x40 containers) dated 16.12.2019, and Bill Entry No. 6249836 (159 MTS Viz 6 Containers) dated 26.12.2019, and Bill of Entry No. 6635092 (124 Tons Viz, 5 Containers) dated 25.01.2020, and Bill of Entry No.6681746 (272 Tons Viz, 11 Containers) dated 29.01.2020, and Bill of Entry No. 6635093 (404.942 Tons Viz. 16 Containers) dated 25.01.2020, and Bill of Entry No. 6795909 (201.409 Tons Viz. 9 Containers) dated 07.02.2020. and Bill of Entry No. 6635238 (269.402 Tons Viz, 10 Containers) dated 25.01.2020. and Bill of Entry No. 6795906 (238.747 Tons Viz. 10 Containers) dated 07.02.2020, and Bill of Entry No. 6808776 dated 08.02.2020, under the Hazardous Waste Management Rules 2016.

For Petitioner : No appearance

For Respondents : Mr.P.Paulpandi
Standing Counsel (for RR1 & 3)

Mr.V.S.Karthi (for RR2, 4, 5)

Ms.Madhuri Donti Reddy (for R6)

Mr.S.Hariradhakrishnan (for R8)



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ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

Since the allegations fall within the ambit of the Customs Act and a public interest litigation is not maintainable against an individual company, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.] [A.D.M.C., J.]
23.07.2025

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
skn

To

- 1.The Secretary,Union of India,
Ministry of Environment and Forest and
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Jarbagh Road, New Delhi – 110 003.
- 2.The Chairman,
The Central Pollution Control Board,
PariveshBhavan,
East Arjun Nagar,

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DR.A.D.MARIA CLETE, J.

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