

Suo motu W.P(MD)No.17508 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

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

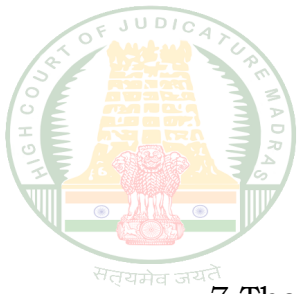
Suo Motu W.P(MD)No.17508 of 2020

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Municipal Administration Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The District Collector,
Karur District, Karur.
- 3.The Commissioner,
Karur Municipality,
Karur.
- 4.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Karur.
- 5.The Chairman,
Pollution Control Board,
Chennai.
- 6.The State of Tamil Nadu, rep., by its
Secretary, Home Department,
Secretariat, Chennai-600 009.



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7.The Secretary to Government,
Industries Department,
Secretariat, Chennai-600 009.

8.The Secretary to Government,
Law Department,
Secretariat, Chennai-600 009.

... Respondents

[R5 – cause title amended vide Court order dated 02.12.2020 made in suo motu W.P.(MD) No.17508 of 2020]

[RR6 to 8 are suo motu impleaded vide Court order dated 02.12.2020 in suo motu W.P.(MD) No.17508 of 2020]

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

a) To take emergent and effective steps to divert the sewage water from the Amaravathy river within a time that may be prescribed by this Court; and

b) To take preventive and punitive measures to control the dyeing units and industries from being polluted Amaravathy river.

For Petitioner	:	Ms.G.Shabna for Mr.Samidurai
For RR1, 2, 4 & 6 to 8	:	Mr.P.Thilakkumar Government Pleader
For R3	:	Mr.K.Balasubramani
For R5	:	Ms.Madhuri Donti Reddy
<i>Amicus Curiae</i>	:	Mr.T.Mohan Senior Counsel



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ORDER

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

The present *suo motu* writ petition of the year 2020 has been instituted to ensure that industrial effluence from Amaravati river is treated properly.

2. The subject location is falling under the territorial jurisdiction of Karur Municipality.

3. This Court appointed Mr.T.Mohan, learned Senior Counsel as *amicus curiae*, who has submitted his reports.

4. The learned Standing Counsel for Karur Municipality would submit that underground drainage waster system has been constructed in 34 wards out of 48 wards and in respect of the remaining wards, funds are yet to be allocated by the Government. That apart during the pendency of the writ petition, the National Green Tribunal, Southern Zone, Chennai, on its own motion in a *suo motu* Original Application in O.A.No.257 of 2020 (SZ), considered the very same issue and passed an order on 14.09.2022 as follows:



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“47. So under such circumstances, we feel that instead of retaining the case for longer period and monitoring the activities of the regulators, dispose of the matter by giving following directions:--

i. The Municipal Commissioner, Karur Municipality and Blok Development Officer, Thanthoni Panchayat Union are directed to implement the Solid Waste Management Rules, Liquid Waste Management and Other Waste Management Rules in its letter and spirit and provide Underground Sewerage System to that area which are not covered by the same and avoid discharge of untreated sewage being let into the water body namely, Amaravati River.

ii. The District Collector, Karur District in coordination with the Water Resources Department and the Commissioner, Karur City Municipal Corporation is directed to locate a suitable place for establishment of upgraded Sewerage Treatment Plant, so as to provide Sewage Treatment Plant for treating the sewage generated within that area and also monitor the implementation of Solid Waste Management Rules as required under Rule"12 of the Solid Waste Management Rules, 2016 within their jurisdiction and if any gap found, they are directed to provide suggestion for resolving the issue in a permanent manner.

iii. The Tamil Nadu Pollution Control Board is



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directed to monitor the implementation of Solid Waste Management Rules, Liquid Waste Management and other Waste Management Rules and also the directions issued by the Principal Bench of National Green Tribunal in O.A. No. 606 of 2018 and other related matters and if any violation or non-compliance found committed by any Institution/local bodies, then they are directed to take appropriate action against those local bodies/institution including imposition of environmental compensation apart from initiating prosecution and from resorting to other coercive measures provided under the respective statutes in accordance with law.

iv. The Block Development Officer, Thanthoni Panchayat Union is directed to strictly implement the Solid Waste Management Rules, 2016, Liquid Waste Management and other Waste Management Rules within their jurisdiction and the implementation of the directions issued by the Principal Bench of National Green Tribunal in O.A. No. 606 of 2018 and directions issued by this Tribunal in this regard.

v. The Commissioner, Karur City Municipal Corporation is directed to complete the bio-mining of the legacy waste in the existing dump yards at the earliest possible time and the Tamil Nadu Pollution Control Board is directed to monitor the same and after the bio-mining is completed, the Tamil Nadu Pollution Control Board is directed to ascertain as to whether it has been properly done and if any further



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study has to be done, then they are directed to be suggest the same to be carried out by the Karur City Municipal Corporation and on such direction, Karur City Municipal Corporation is directed to carry out that study and implement the direction issued by the Tamil Nadu Pollution Control Board in its letter and spirit.

vi. The practice of Vanjaleshwara Koil which illegally dug channel to draw water from the river during Mahakumbabisegam conducted in the year 2021 is deprecated. In future they should not resort to such practice and they should obtain necessary permission from the Water Resources Department for drawing water from the river for such purposes if any required and during festival season, they are directed to take steps to avoid discharge of untreated sewage into the water body and take steps to collect sewage generated during the festival season and dispose of the same in a scientific manner without discharging the same into water body.

vii. If the channel dug is not closed after the festival, then Water Resources Department is directed to close the same and recover the expenses incurred from the temple authorises in accordance with law.

viii. The CETPs who have not removed the sludge and kept in the premises in open without adequate protection are directed to remove the same as per rules within a period of six (6) months from the



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date of order and as an interim measure, they are directed to cover the sludge with tarpaulins within a period of fifteen days (15) from the date of this order to avoid discharge of leachate into the nearby water bodies or ground water aquifer system. The damaged polythene bags shall be disposed by sending to incineration facility and the top layer of the soil where sludge was stored shall be removed upto a depth of 0.5m where the sludge was stored and dispose of it by taking into TSDF/cement industries as recommended by the Joint Committee.

ix. The Tamil Nadu Pollution Control Board is directed to issue necessary direction to these CETP operations to comply with the direction within the time frame fixed by this Tribunal and if it is not complied with take appropriate action against them including imposition of environmental compensation as directed to be assessed by this Tribunal in several cases of this nature.

x. The Tamil Nadu Pollution Control Board is directed to monitor the same and if there any violation found, they are directed to take action against CETP operators including recovery of environmental compensation and other coercive measures as provided under the respective statutes in accordance with law.

xi. The recommendations of the Joint Committee to direct the units located within 1KM from the river bank to establish individual or common



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multiple evaporation systems or common RO reject management systems in the place of existing solar evaporation pan is accepted and the Tamil Nadu Pollution Control Board is directed to ensure the implementation of the direction by the industrial units within a period of six (6) months by issuing necessary directions failing which they are directed to take appropriate action against those units as per the existing laws in force.

xii. The Tamil Nadu Pollution Control Board shall also ensure that the industries having more than 50 employees shall install Sewage Treatment Plant to treat sewage and utilise the treated sewage water within their premises. Units having less than 50 employees shall connect septic tank outlet to the existing UGD net work or establish common STP for treatment of sewage within a period of six (6) months failing which necessary action should be taken against those industries as per existing norms and necessary direction in this regard is directed to be issued by the Tamil Nadu Pollution Control Board to the units as mentioned above within timeline within which the same will have to be implemented by the units in order to enable the Tamil Nadu Pollution Control Board to take further action in this regard against the erring units in accordance with law.

xiii. The Tamil Nadu Pollution Control Board is directed to issue necessary direction to the industrial units to install rain water harvesting pits for ground



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water recharge and in addition establish sumps (with recharge bore) for harvesting roof top rain water in their premises within a period of six (6) months and if this is not implemented in spite of the directions issued, then Tamil Nadu Pollution Control Board is directed to take action against those erring units in accordance with law as provided under the respective environmental statutes including imposing environmental compensation as directed by this Tribunal in several cases of this nature.

xiv. The Additional Chief Secretary to Municipal Administration and Water Supply Department, Additional Chief Secretary to Government for Water Resources Department and Additional Chief Secretary to Government for Environment, Climate change and Forest are directed to monitor the implementation of directions.

xv. The Chief Secretary to Government, State of Tamil Nadu is directed to constitute a committee comprising of Additional Chief Secretary to Government for Municipal Administration and Water Supply Department as Chairman, Additional Chief Secretary to Government for Finance or his nominee, Additional Chief Secretary to Government for Water Resources Department to monitor the implementation of the directions issued by this Tribunal in respect of implementation of Underground Sewage Scheme and implementation of Solid Waste/Liquid Waste/other Waste Management Rules and directions issued by



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the Principal Bench of National Green Tribunal in O.A. No. 606 of 2018 and various directions issued by this Bench, and other matters relating to protection of water bodies and if there is any gap found, then they are directed to issue necessary directions to the respective stakeholder departments so that they could rectify and resolve the same in an effective manner, so that the directions issued by the Tribunal for protecting water body can be effectively implemented by the respective stakeholders in its letter and spirit.

xvi. The Chief Secretary to Government, State of Tamil Nadu is also directed to conduct review meetings with the stakeholder departments regarding this aspect and if there is any gap found, then give necessary directions to the concerned departments to expedite the same and if any financial and technical support is required, then he is directed to provide the same at the earliest.

xvii. The Registry is directed to communicate this order to the official respondents including the Block Development Officer-Thanthoni Panchayat Union, the Commissioner-Karur City Municipal Corporation, District Collector-Karur District, Chairman-Tamil Nadu Pollution Control Board, Additional Chief Secretary to Government for Water Resources Department and also to the Chief Secretary to Government, State of Tamil Nadu for



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their information and compliance of directions.

48. With the above observations and directions, the Original Application is disposed off.”

5. In view of the above, no further order is required in this Writ Petition and the same stands closed. It is needless to state that any further grievances can be redressed through the National Green Tribunal. There shall be no order as to costs.

J.]

[S.M.S., J.]

[A.D.M.C.,

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Index:Yes/No

Internet:Yes/No

NCC:Yes/No

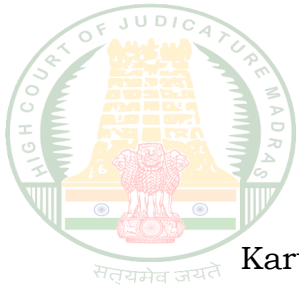
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To

1.The Principal Secretary to Government,
Municipal Administration Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.

2.The District Collector,

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Karur District, Karur.

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- 5.The Chairman,
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Chennai.
- 6.The Secretary to Government
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- 7.The Secretary to Government,
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- 8.The Secretary to Government,
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

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