



**WP(MD). No.24417 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED : 09.01.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.S. RAMESH**  
**AND**  
**THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE**

**WP(MD). No.24417 of 2024 and  
WMP(MD) No.20741 of 2024**

**Mohammed Ismail**

**... Petitioner**

**Vs**

**1. The Chairperson,  
Tamil Nadu Pollution Control Board,  
No. 76, Mount Road, Guindy,  
Chennai 600 032.**

**2. The Joint Chief Environmental Engineer (M),  
Tamil Nadu Pollution Control Board,  
Tirunelveli..**

**3. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
318/46a, Water Tank Road,  
Nagercoil 629 001..**

**... Respondents**

**PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings of the 1<sup>st</sup> respondent in proceedings No. TNPCB/T1/F.011365/Directions/Water/2024 dated**



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06.08.2024 and in TNPCB/T1/F.011365/Directions/Air/2024 dated 06.08.2024 and the consequent communication of the 3<sup>rd</sup> respondent in Letter No. F.Tech.06(229/2019) and NHRC Case No. 7357/22/9/2020 dated 08.08.2024 and quash the same.

For Petitioner : Mr.N.Dilipkumar  
For Respondents : Mr.Maduri Donti Reddy for R1 to R3

### **ORDER**

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

Challenging the impugned order passed by the 1<sup>st</sup> respondent dated 06.08.2024 and the consequential communication of the 3<sup>rd</sup> respondent dated 08.08.2024, the writ petition has been filed.

2. The order impugned in the writ petition is against the directions issued by the Tamil Nadu Pollution Control Board under Section 33A of the Water (P&CP) Act, 1974. It was recorded therein that the petitioner had already informed the Board that they have taken steps to shift their operation to a different location and had obtained certificate dated 19.07.2023 from the Tahsildar, Thisayanvilai for the new location and requested three months time for the same. In spite of such an



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undertaking, when the Unit had not relocated their operations, the impugned order came to be passed.

3. We do not appreciate the manner in which the Unit had given an undertaking before the Board and then thereafter had retracted the same. Apart from that no reason has been assigned for assailing the impugned order in the writ petition. As such, we do not find any unreasonableness or other illegality in the order impugned in the writ petition whereby the Unit was directed to shift their location within three months. Accordingly, the writ petition stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

**[M.S.R.,J]**

**[A.D.M.C.,J]**

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**NCC : Yes/No**

**Index : Yes/No**

**RR**



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**M.S. RAMESH, J.**  
**AND**  
**A.D.MARIA CLETE, J.**

RR

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