

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Appeal No.126 & 127 of 2016 (SZ)**

**In the matter of**

**Appeal. No.126 of 2016**

1. Ravi Kumar, Proprietor, M/s.Shree Foods,  
No.33, 3<sup>rd</sup> Street, Velappar Nagar,  
Thiruverkadu, Chennai 600077

.....Applicant

VS

1. Tamil Nadu Pollution Control Board  
Rep. by its Chairman,  
No.76, Mount Road, Guindy, Chennai
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
No.77A, South Avenue Road,  
Ambattur, Chennai 600058
3. The Superintending Engineer,  
Chennai EDC (West)  
TANGEDCO, (TNEB) 33KV  
Thirumangalam SS Complex,  
Anna Nagar, Chennai -95
4. The Assistant Executive Engineer (O & M)  
TANGEDCO (TNEB)  
Thiruverkadu, CEDC- West,  
Thiruvallur Dist.
5. The Collector,  
Thiruvallur District

.. Respondents

**Appeal No.127 of 2016**

1. V.V.Chandran, Proprietor,  
M/s.Chandra Foods, No.30, Velappar Nagar,  
Maaduravedu, Thiruverkadu, Chennai -77

.....Applicant

VS

1. Tamil Nadu Pollution Control Board  
Rep. by its Chairman,  
No.76, Mount Road, Guindy, Chennai
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
No.77A, South Avenue Road,  
Ambattur, Chennai 600058
3. The Superintending Engineer,  
Chennai EDC (West)  
TANGEDCO, (TNEB) 33KV  
Thirumangalam SS Complex,  
Anna Nagar, Chennai -95
4. The Assistant Executive Engineer (O & M)  
TANGEDCO (TNEB)  
Thiruverkadu, CEDC- West,  
Thiruvallur Dist.

5. The Collector,  
Thiruvallur District

.. Respondents

**Counsel appearing for the applicant:**

M/s.P.Rathanavel, C.Mariappan & M.Ezhilarasan

**Counsel appearing for the Respondents:**

Mrs.H.Yasmeen Ali for R1 & R2  
Mr.Gnanasekaran for R3 & R4  
Mr.M.K.Subramanian for R5

**ORDER**

Present

Hon'ble Justice Dr.P. Jyothimani, Judicial Member

Hon'ble Shri P.S.Rao, Expert Member

18<sup>th</sup> May, 2016

As per our earlier direction, the District Environmental Engineer, (DEE) State Pollution Control Board, Ambattur, Chennai is present. The appellants are small manufactures of eatable materials viz., chips by using potatos. Alleging that by washing potatoes, the untreated water is being discharged in the river Cooum, the impugned order of the Board came to be passed by exercising its jurisdiction under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974. By virtue of the said order, the units have been closed and the electric supply was disconnected.

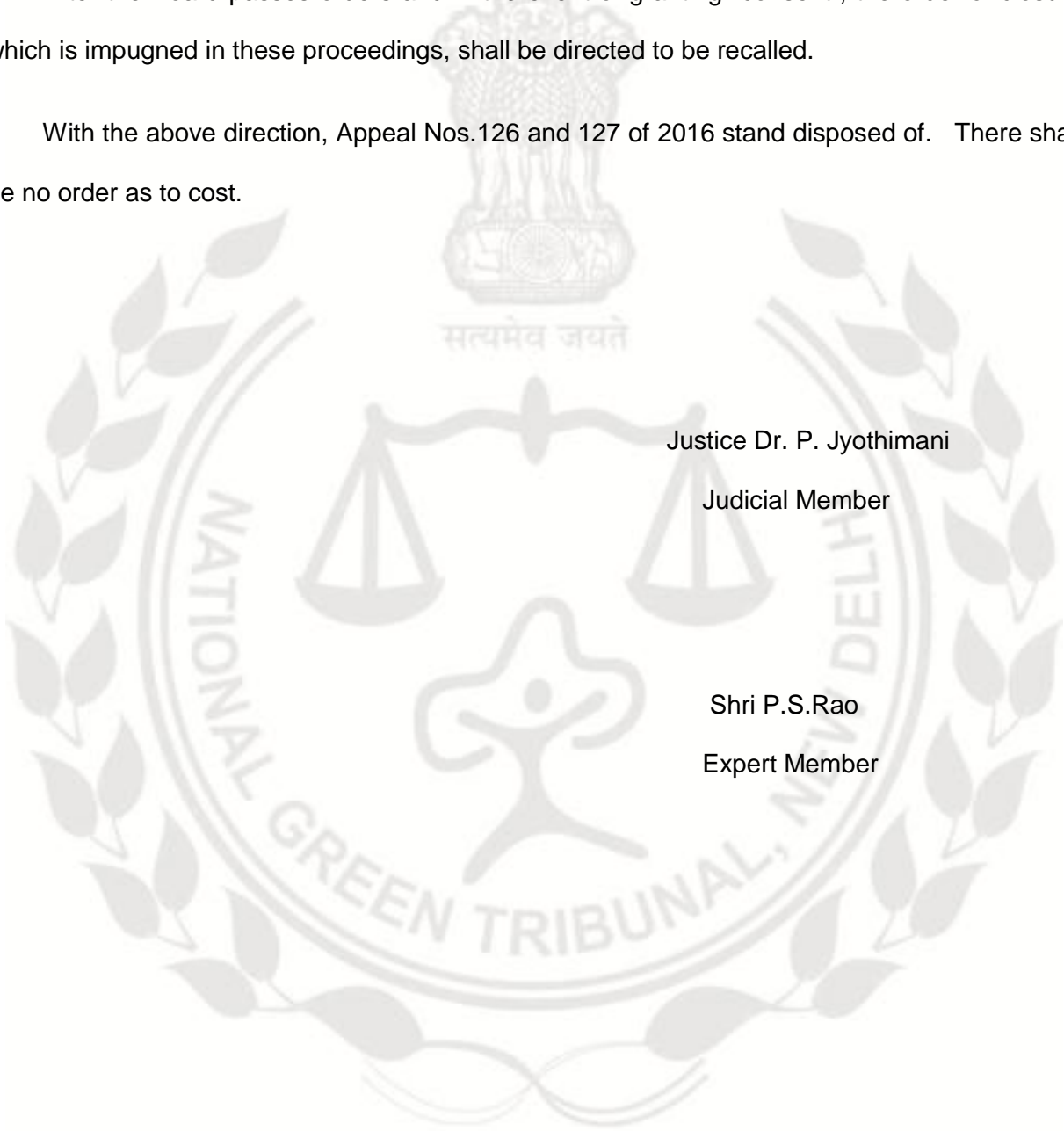
2. The learned counsel appearing for the Pollution Control Board has earlier submitted that while it is true that there was an online application made by the appellants and the same was registered but she wanted to obtain specific particulars from DEE. Accordingly, the DEE, who is present in the Tribunal, would submit that the Online Registration receipt filed by the appellants dated 17.03.2016 is only an initial stage for the purpose of getting password and user ID and based on that the appellants have to give necessary particulars by making online application for consent which will be considered on merits and in accordance with law.

3. In view of the said clarification made by DEE, we direct the appellants to make appropriate application by using the user ID and password already registered and direct the Board to consider the application on merits and in accordance with law to serve the purpose and render justice.

4. We dispose of the appeals, permitting the appellants to make necessary online application by using the user ID within one week from today. On receipt of the said application, the Pollution Control Board shall consider the application on merits and in accordance with law and pass orders expeditiously in any event, within one week thereafter.

5. After the Board passes orders and in the event of granting "consent", the order of closure which is impugned in these proceedings, shall be directed to be recalled.

With the above direction, Appeal Nos.126 and 127 of 2016 stand disposed of. There shall be no order as to cost.



Justice Dr. P. Jyothimani

Judicial Member

Shri P.S.Rao

Expert Member

# NGT