

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Application No. 95 of 2015 (SZ)**

**IN THE MATTER OF:**

M/s. Kuberan Aqua Industries  
Rep. by its Authorised Signatory  
Mr. N. Jaleel  
1/147-H, Keelatheru  
Arakukam  
Near Samuel Polytechnic  
Mudivaithanendal Village  
Pudukkottai Taluk  
Tuticorin-628 102



सत्यमेव जयते

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Applicant(s)

**AND**

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

2.The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
Thoothukudi District.

3.The Chief Engineer  
Public Works Department  
State Ground and Surface Water Data  
Research Centre  
Tharamani  
Chennai.600 113

4. The Assistant Engineer  
Tamil Nadu Electricity Board  
Mudivaithanendal Village

**NGT**

Tuticorin

... Respondent(s)

**Counsel appearing for the Applicant:**

**Mr. Ravi Ananthana Padmanabhan**

**Counsel appearing for the Respondents:**

**Mrs. Rita Chandrasekar for R-1 and R-2**

**Mr. Abdul Saleem and**

**Mrs. Vidyalakshmi for R-3**

**Mr. P. Gnanasekaran for R-4**

**ORDER**

**PRESENT:**

**HON'BLE SHRI JUSTICE M. CHOCKALINGAM, JUDICIAL MEMBER**

**HON'BLE SHRI P.S. RAO, EXPERT MEMBER**

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**Dated 15<sup>th</sup> May, 2015**

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Heard the Counsel for the applicant.

The applicant herein is a packaged drinking water Unit. The application is filed for restoration of electricity connection to the Unit for maintaining the membranes and machinery of the Unit.

On admission, the matter is posted for reply by other sides. Heard the Counsel for both sides. It is not in controversy that the applicant Unit is situated at Mudivaithanendal, Tuticorin District in over exploited category area. Pursuant to the Show Cause Notice dated 2.7.2014 issued by the 1<sup>st</sup> respondent, the Unit was

closed and the 4<sup>th</sup> respondent disconnected the electricity service connection. An application was filed before the PWD, the 2<sup>nd</sup> respondent herein seeking for NOC which was also rejected on 23.7.2014. Under the circumstances, it is also brought to the notice that as on today, the Consent from the Tamil Nadu Pollution Control Board was also not renewed and hence no question of permitting the Unit to carry on its commercial activities. What is required by the applicant is restoration of electricity connection only to the extent to maintain the membranes and machinery of the Unit. Needless to say that if permission is not granted to that extent, not only it causes financial hardship but also it would likely to cause damage to the Unit. Hence in order to avoid the avoidable hardship to the applicant's unit, the 4<sup>th</sup> respondent, the Assistant Engineer, Tamil Nadu Electricity Board, Mudivaithanendal Village, Tuticorin to reconnect the electricity connection to the applicant's Unit forthwith and accordingly ordered.

It is also made clear that the restoration of electricity service connection is for the purpose of maintaining the membranes and machinery only and not for any commercial purpose. The concerned District Environmental Engineer of the Board shall monitor the Unit. The applicant Unit shall function from 10.00 a.m to 4 p.m. The application is accordingly disposed of.

No cost.

Justice M. Chockalingam  
(Judicial Member)

P.S. Rao  
(Expert Member)