



W.P.No. 15120 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2025

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CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No. 15120 of 2019

G.Subramania Koushik

S/o.R.Gopal Iyer, No.47, Vijaya Nagar

Place Road, Near Rose Garden, Ooty,

The Nilgiris District 643001.

Petitioner(s)

Vs

1. The Principal Secretary
to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George, chennai 600
009.

2.The District Collector,
The Nilgiris District, Collectorate,
Ooty 643001.

3.The Commissioner,
Udhagamandalam Municipality, Ooty,
The Nilgiris District.

4.The Commissioner,
Coonoor Municipality, Coonoor,
The Nilgiris District.



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5.The Commissioner,
Gudalur Municipality, Gudalur, The
Nilgiris District.

6.The Commissioner,
Kotagiri Town Panchayath, Kotagiri,
The Nilgiris District.

7.The Field Director,
Mudumalai Tiger Reserve, Mount
Stuart Hill, Ooty, The Nilgiris.

8.The District Forest Officer,
The Nilgiris District, Mount Stuart Hill,
Ooty -643001.

9.The Commissioner,
Kodaikanal Municipality, Kodaikanal,
Dindigul District. (R9 SUO MOTU
IMPLEADED VIDE ORDER DT
12.02.2021 MADE IN WP.15120/2019
BY NSKJ)

10.The Principal Secretary To
Government,
Transports Department, Secretariat,
Fort St. George, Chennai - 600009.

11.The Transport Commissioner,
Government of Tamil Nadu,
Commissionerate of Transport and
Road Safety, Ezhilagam, PWD Estate,
Chepauk, Triplicane, Chennai -
600005.(R10 AND R11 ARE SUO
MOTU IMPLEADED AS PER



ORDER DATED 24.11.2022 IN
WP.15120/2019 BY NSKJ AND DBCJ)

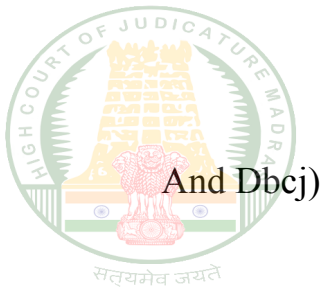
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12. Shantha Thiagarajan,
Late Shri.D.Thiagarajan, No.201-B,
THIAGS Missionary Hill,
Udhagamandalam, The Nilgiris
643002. (R12 IMPEADED VIDE
ORDER DT 16.03.2023 MADE IN
WMP.8577/2023 IN WP.15120/2019
BY NSKJ, DBCJ)

13. The Principal Secretary,
Department Of Municipal
Administration, Urban And Water
Supply, Government Of Tamil Nadu,
Secretariat, Fort St. George,
Chennai.600 009.

14. The Additional Chief Secretary,
Department Of Tourism, Culture And
Religious Endowments Department,
Government Of Tamil Nadu,
Secretariat, Fort St. George,
Chennai.600 009. (r13 And R14 Are Suo
Motu Impleaded As Per Order Dated
19.03.2024 In Wp.15120/2019 By Nskj
And Dbcj)

15. The Secretary To The Ministry Of
Road Transport And Highways,
Transport Bhawan, No.1, Parliament
Street, New Delhi.110 001. (r15- Suo
Motu Impleaded As Per Order Dated
04.11.2024 In Wp.15120/2019 By Nskj



And Dbcj)

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W.P .No. 15120 of 20



Respondent(s)

WMP No. 8422 of 2024

1. G.Subramania Koushik
S/o.R.Gopal Iyer, No.47, Vijaya Nagar
Place Road, Near Rose Garden, Ooty,
The Nilgiris District 643001.

Petitioner(s)

Vs

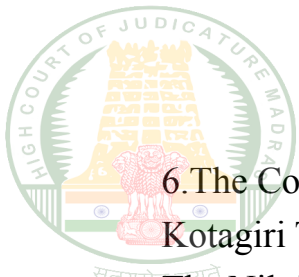
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5.The Commissioner,
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Nilgiris District.



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6.The Commissioner,
Kotagiri Town Panchayath, Kotagiri,
The Nilgiris District.

7.The Field Director,
Mudumalai Tiger Reserve, Mount
Stuart Hill, Ooty, The Nilgiris.

8.The District Forest Officer,
The Nilgiris District, Mount Stuart Hill,
Ooty -643001.

9.The Commissioner,
Kodaikanal Municipality, Kodaikanal,
Dindigul District.

10.The Principal Secretary To
Government,
Transports Department, Secretariat,
Fort St. George, Chennai - 600009.

11.The Transport Commissioner,
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Commissionerate of Transport and
Road Safety, Ezhilagam, PWD Estate,
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643002.

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Department Of Municipal



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Supply, Government Of Tamil Nadu,
Secretariat, Fort St. George,
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14.The Additional Chief Secretary,
Department Of Tourism, Culture And
Religious Endowments Department,
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Motu Impleaded As Per Order Dated
04.11.2024 In Wp.15120/2019 By Nskj
And Dbcj)

Respondent(s)

WP No. 15120 of 2019

For Petitioner(s): Mr.T.V.Suresh Kumar
M/s Genicon & Associates
For Respondent(s): Mr.P.S.Raman, Advocate General
Assisted by
Dr.T.Seenivasan
Spl.GP for RR1,2,7, 8, 10, 11,
13, 14
Mrs.A.Sri Jeyanthi For R4
Mr.R.Srinivas, SC



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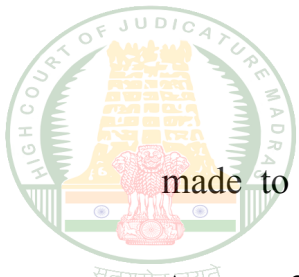
W.P.No. 15120 of 20



for Mr.K.Madhan for R12
Mr.V.Chandrasekaran, SPC
for R15
M/s.T.Mohan, Senior Counsel
and
Mr.M.Santhanaraman
Amicus Curiae
Mr.C.Mohan, Amicus Curiae
Mr.Rahul Balaji, Amicus Curiae

ORDER

Status report is filed on behalf of the TASMAL. The details as to the collection of empty bottles in the hill area upto 15.05.2025 is furnished in paragraph 1. It can be seen that out of 99,31,19,716 bottles sold to customer 97,12,72,512 empty bottles have so far been collected back which accounts for 98% of the bottles sold. As a matter of fact, after returning, the amount for the returned bottles there also remains a balance amount of Rs.21,84,72,040. Further, particulars with reference to the deposit of the non-reimbursed extra amount so far has been furnished in paragraph 2. The quantum of sale amount of empty liquor bottles with reference to the 16 districts is also furnished in paragraph 3. It is stated that through sale amount of empty liquor bottles, a sum of Rs.20,70,10,852/- has been realised. It is stated that the decision has been



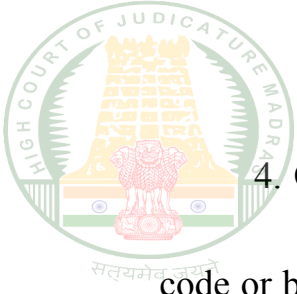
made to call for fresh tenders in respect of the entire region, therefore, by

August 2025, the buy-back scheme will be implemented throughout Tamil

Nadu. The same is recorded.

2. The TASMACH Authority/Commissioner of Prohibition/Government of Tamil Nadu are directed to implement it without delay by August 2025.

3. As far as the end to end computerisation is concerned, it is stated that in paragraph 7, it is implemented in 34 districts and 36 depots totalling 4132 retail vending shops out of 4784 TASMACH retail vending shops. It is stated that in all the shops where the computerisation is implemented, it is done through scanning of QR Code. It is also stated that in remaining 4 districts, end to end computerisation will be implemented before the month end of June 2025. Once the same is completed, the very same QR Code can be used for the buy-back system also and the bottles can be returned by the same QR code, such a process has to be developed.



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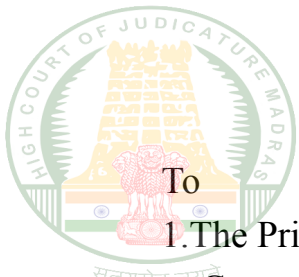
4. Once the computerisation is implemented, then by using the same QR code or by yet another sticker, the data such as the place where the bottles were purchased, date of purchase, everything should be accessible upon return and automatically to be accounted with the appropriate vending outlet. The TASMAC authority/Commissioner of Prohibition/Government of Tamil Nadu are directed to develop the software so that the bottles can be returned at any place irrespective of the place of purchase and automatically it can be accounted with the respective retail vending shop.

5. The TASMAC Authority/Commissioner of Prohibition/Government of Tamil Nadu are directed to place on record as to the result of the meeting with the manufacturers regarding taking back the bottles while filing status report in the next hearing date.

6. Call on 04.09.2025.

(N.S.K., J.) (D.B.C., J.)
04.06.2025

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To

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Ooty 643001.

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AND
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