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W.P.No. 15120 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No. 15120 of 2019

and W.M.P.Nos.8422 of 2024, 16969 of 2025 & 14765 of 2025

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.

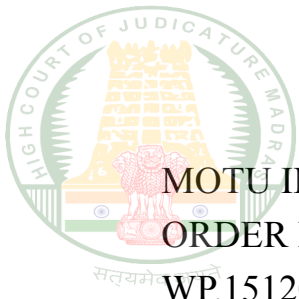
7.The Field Director,
Mudumalai Tiger Reserve, Mount
Stuart Hill, Ooty, The Nilgiris.

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)

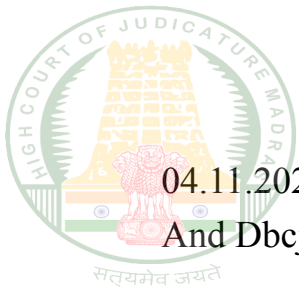
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12. Shantha Thiagarajan,
Late Shri.D.Thiagarajan, No.201-B,
THIAGS Missionary Hill,
Udhagamandalam, The Nilgiris
643002. (R12 IMPLEADED VIDE
ORDER DT 16.03.2023 MADE IN
WMP.8577/2023 IN WP.15120/2019
BY NSKJ, DBCJ)

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



W.P.No. 15120 of 2019



04.11.2024 In Wp.15120/2019 By Nskj
And Dbcj)

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Respondent(s)

WMP No. 8422 of 2024 and 14765 of 2025

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

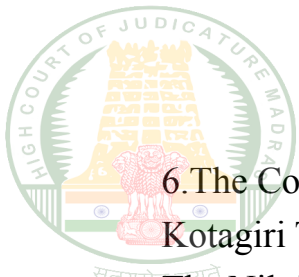
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8.The District Forest Officer,
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9.The Commissioner,
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Dindigul District.

10.The Principal Secretary To
Government,
Transports Department, Secretariat,
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W.P .No. 15120 of 20



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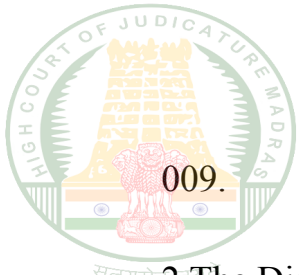
WMP.No.16969 of 2025

The Tamil Nadu Hotel Association
Rep by its Secretary Mr.R.Srinivasan
4th Floor, Montieth Mansion
27 Montieth Road, Egmore, Chennai – 600 008

... Petitioner

VS

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to Government of Tamil Nadu,
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Secretariat, Fort St.George, chennai 600



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WP No. 15120 of 2019 and WMP No. 8422 of 2024 and 14765 of 2025

For Petitioner(s): Mr.T.V.Suresh Kumar
M/s Genicon & Associates
For Respondent(s): Dr.T.Seenivasan
Spl.GP for R1 to 3, 5 to 11, 13
and 14
Mrs.A.Sri Jeyanthi For R4
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

WMP No. 16969 of 2025

For Petitioner(s): Mr.R.Vishnu
For Respondent(s): Mr.T.V.Suresh Kumar for R1
M/s Genicon & Associates
Dr.T.Seenivasan
Spl.GP for RR2 to 4, 6 to 12, 14



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W.P.No. 15120 of 20



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Mrs.A.Sri Jeyanthi For R5

Mr.K.Madhan for R13

Mr.V.Chandrasekaran, SPC
for R16

M/s.T.Mohan, Senior Counsel
and

Mr.M.Santhanaraman

Amicus Curiae

Mr.C.Mohan, Amicus Curiae

Mr.Rahul Balaji, Amicus Curiae

ORDER

A.Issue relating ban of single use plastics:

The learned counsel had filed a memo bringing to the notice that even with reference to functions that are conducted by independent agencies etc., within the government premises and after due permission from the Government, the banned plastic single use PET bottles are used rampantly. Pictures of the banned 1 litre single use PET bottles being used in a large scale basis in the recently conducted Dog Show at Government Arts College premises during 09.05.2025 to 11.05.2025 is produced before this Court. This shows that there is lack of screening and check at the entrance. This apart, such organisations which conduct public functions should be additionally put on notice in the

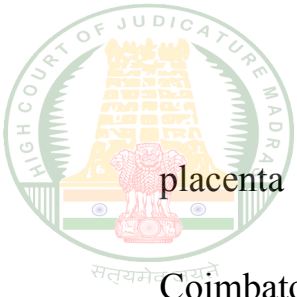


permission that is granted to them that they should not use any of the banned 28 single use items in the function. This apart, in respect of violation, immediately show cause notices should be issued and adequate quantity of fine should be imposed on the basis of polluter pays principle.

2. Even with reference to the present Dog Show, the learned Special Government Pleader shall get instructions as to how the organisers were able to sneak the single use bottles inside the town and also how they were permitted to be used. It is also open to the appropriate authorities to issue show cause notice to the agencies that conducted the programme.

3. The learned Special Government Pleader shall file a status report on the next hearing date. Post on 18.07.2025

4. With reference to the rampant use and throwing of these PET bottles into the forest as well as the natural streams and other water bodies, it has now brought to our notice that it has reached alarming proportion whereby in a

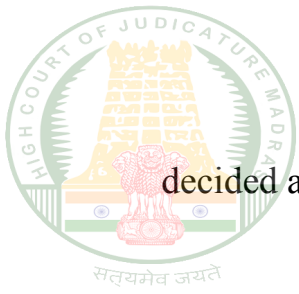


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placenta of a mother who has given birth to a child in PSG Hospital, Coimbatore, it is reported in the press that plastic particles were found even in the placenta. The Special Government Pleader is directed to get a copy of the concerned report and it is made clear that the details of the patients shall be kept secret, while the Court will focus only on the factual issue relating to use of plastics. Let a copy be produced before this Court on the next hearing date.

5. Post on 18.07.2025.

6. With reference to the working of water ATM and also change of technology and also installation of new RO plant, it was earlier submitted on behalf of the District Collector, Nilgris that steps are being taken. Steps that are being taken in that regard can also be placed before this Court. It is needless to mention that in the earlier order, we have said that any private partnership of any R&D organisation, private sector etc., jointly operate in whatever manner participate in providing portable drinking water to the public should be encouraged and should not await any long drawn red tapism and should be



decided and established then and there.

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7. The learned Special Government Pleader is directed to file status report and other documents on 18.07.2025.

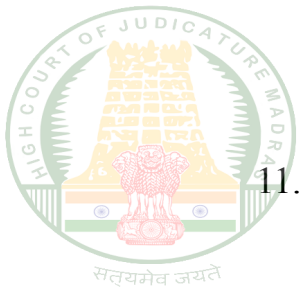
B. Vertical cutting:

8. The learned counsel has filed a memo along with photographs which indicate that vertical cuttings are happening. It is stated in the memo that it is between the Ooty – Mettupalayam National Highways. The learned counsel is requested to file additional memo pointing out the exact location and the same shall also be served to the learned Special Government Pleader.

9. The learned Special Government Pleader shall also get instructions with regard to the place of vertical cuttings and file a status report on 18.07.2025.

C. E-Pass:

10. As far as the E-pass is concerned, the learned Special Government Pleader has taken steps to arrange for the meeting on 15.07.2025.



11. Call this matter on 18.07.2025.

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D.Bed and Breakfast

12. With reference to bed and breakfast providers, earlier, this Court has passed orders to take immediate action against the illegal resorts, lodges, cottages, homestays operating under the bed and breakfast license and also those that are operating within the license. Committees were constituted for Nilgris as well as Kodaikanal. The information which is casually furnished does not seem to reflect the correct state of affairs. Therefore, with reference to the steps that are taken, (a) to identify 575 bed and breakfast staying homes of which licenses have been taken or whether they are operating as per law, i.e., including building permissions, zonal compliance etc., let a status report be filed; (b) whether any steps have been taken in respect of unauthorised hotels, cottages, resorts etc., and if so, what action including show cause notices/lock and seal orders passed against them shall be placed on record; (c) directive to provide publicise a phone number with social media including Whatsapp facilities so as to facilitate the common public and other



W.P.No. 15120 of 20



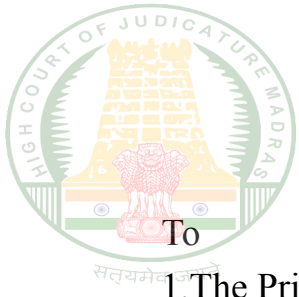
traders who are doing their business lawfully to lodge complaint and forward photographs of the illegal use of building should also be placed on record.

13. Similar steps should also be taken with reference to the Kodaikanal and a separate status report shall be filed on the next hearing date.

14. Post on 01.08.2025.

(N.S.K., J.) (D.B.C., J.)
04-07-2025

dhk



To

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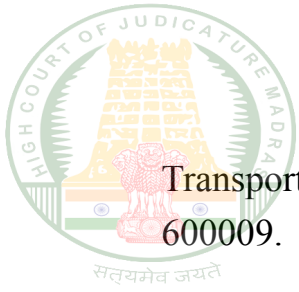
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