



*W.P.No.15120 of 2019 & W.M.P.No.15112 of 2019 and
other connected WMPs*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01..08..2025

CORAM

**THE HONOURABLE MR JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.No.15120 of 2019
&
W.M.P.No.15112 of 2019, W.M.P.No.8422 of 2024,
W.M.P.No.14765 of 2025 & W.M.P.No.16969 of 2025
in
W.P.No.15120 of 2019**

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.



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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.

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 District.

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

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



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

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



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per per Order dated 19.03.2024 in W.P.No.15120/2019 by
NSKJ & 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 W.P.No.15120/2019 by NSKJ & DBCJ)

16.Tamil Nadu Pollution Control Board,
Rep. by its Chairman,
No.76, Mount Salai, Guindy,
Chennai 600032.

[R.16 impleaded suo motu as per the order of this court dated
27.06.2025 made in W.P.No.15120 of 2019 and
W.M.P.No.15112 of 2019]

..... Respondents

For Petitioner : Mr.T.V.Suresh Kumar
M/s Genicon & Associates
For Respondent(s): Dr.T.Seenivasan
Special Government Pleader for
RR1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
13 and 14
Mrs.A.Sri Jeyanthi for R4
Mr.R.Srinivas, Senior Counsel
for Mr.K.Madhan for R12
Mr.V.Chandrasekaran, SPC
for R15
Mr.B.N.Suchindran,



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Standing Counsel for TNPCB for
R16
M/s.T.Mohan, Senior Counsel
and Mr.M.Santhanaraman
Amici Curiae

Mr.C.Mohan, Amicus Curiae
Mr.Rahul Balaji, Amicus Curiae

ORDER

This court has heard both sides.

PROTECTION OF WESTERN GHATS FOREST

(A) BAN ON SINGLE USE PLASTIC PRODUCTS/PET BOTTLES

(W.M.P.No.15112 of 2019 in W.P.No.15120 of 2019 & W.P.No.15120 of 2019)

2. In compliance with the directions regarding the ban on single-use plastic products and PET bottles, individual status reports have been filed today by the District Collector, Dindigul, and the Tamil Nadu Pollution Control Board (TNPCB).

3. As directed by this court during the previous hearing, the TNPCB has placed before this Court a list of companies that have been shut down. The



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TNPCB, in its status report, states that a recent round of inspections was conducted at these units, and, based on the inspection findings, none of the units are currently operational, except for a few which have now switched to the production of plastic granules, an activity that is permitted under the prevailing norms.

4. With respect to other related aspects, the District Collector of Dindigul has submitted details regarding the efforts undertaken for the installation and maintenance of Water ATMs and additional facilities being implemented to ensure the provision of drinking water for visitors and tourists. However, with regard to the ban on other single-use plastic products, particularly multilayered plastic sachets, it is noted from the Collector's status report that no tangible steps have been taken thus far. In this regard, the next status report shall specifically include, the steps initiated to identify and notices issued to the manufacturers and brand owners responsible for introducing products in such sachets/covers. It shall be ensured that a meeting is convened with the concerned stakeholders, and the proposals put forth by them, either for the retrieval of the offending



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sachets/covers/packing materials or for the adoption of alternative packaging solutions, such as disposable paper packs or other environmentally sustainable materials are duly recorded and placed on file in the form of a status report to be submitted on the next date of hearing.

5. The status report shall specifically contain the details of any proposals made by them, including, whether they have agreed to collect back the sachets/packaging materials already in circulation and whether they propose to switch to alternative packaging, such as biodegradable paper packs or other environmentally safe options.

6. Let emergency steps be taken forthwith in this regard, and a comprehensive status report be filed on the next date of hearing.

7. It is made clear that the responsibility lies both with the Tamil Nadu Pollution Control Board (TNPCB) and the respective local authorities. Accordingly, the District Collectors of Dindigul and The Nilgiris shall immediately take necessary steps to identify the names and details of the manufacturers concerned and communicate with them and convene a Joint



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District Level Committee and thereafter, facilitate a meeting with the Additional Chief Secretary, Environment, Climate Change and Forests Department, Government of Tamil Nadu, in the presence of the Chairman, TNPCB, to enable a meaningful dialogue and to evolve a viable solution. The proposed solution may include, switching to alternative forms of packaging, such as biodegradable or environmentally safe materials; or developing a logistics plan, whereby the manufacturers supply alternative packaging to shop owners, who in turn, transfer the products / goods into such alternative packs, collect and return the original packaging to the manufacturers; ensure that the packaging is recycled or disposed of in a manner compliant with legal and environmental standards. The said meeting shall be conducted without delay and a detailed status report shall be filed on the next date of hearing.

8. With regard to other innovative measures, such as the replacement of PET bottles with reusable steel bottles or canisters, the respective District Administrations and the State Government shall actively engage with manufacturers to encourage the setting up of retail outlets or kiosks at key



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locations along the Western Ghats road, particularly at entry points and ensure that steel bottles, canisters or similar reusable alternatives, ranging from luxury to affordable option are made available to the public. They shall facilitate the availability of such alternatives not only at the entry points but also within the townships and in other areas of the District(s), thereby reducing the likelihood of public littering.

9. Let appropriate action be taken in this regard, and the steps initiated shall also be included in the status report to be filed on the next date of hearing.

10. Call on 29.08.2025.

11. With reference to obtaining the report from the private hospital, since difficulties were experienced in securing the necessary permissions, the learned Amici Curiae have sought further time. The request is considered and granted.

12. Let the report be filed on or before 29.08.2025, as earlier directed by this Court.

(B) WATER ATMs & RO PLANTS:

13. With reference to the installation of RO plants, Mr.C.Mohan, learned



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Amicus Curiae, submitted that several financial institutions, such as the State Bank of India, Reserve Bank of India, and other private banking institutions, may be willing to sponsor and install one or two RO plants each at strategic vantage points, if approached appropriately. He further stated that he is willing to coordinate meetings between the District Administrations of The Nilgiris and Dindigul and the said banking institutions.

14. Accordingly, the District Administrations concerned are directed to coordinate with Mr.C.Mohan and convene meetings with the interested banking institutions, and to explore the possibility of establishing RO plants at the earliest. The learned Special Government Pleader (Forest) is also requested to assist and coordinate in this endeavour.

15. Call on 29.08.2025.

(C) PLASTIC BAN AT THE PREMISES OF THE NILGIRIS MOUNTAIN

RAILWAYS

16. With reference to the Railways, the steps taken in this regard shall be placed on record in the status report to be filed on the next date of hearing.



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(D) CARRYING CAPACITY / E-PASS

(W.M.P.No.8422 of 2024 in W.P.No.15120 of 2019)

17. With respect to the issue of e-Pass and Carrying Capacity, it is noted that a joint meeting was held on 15.07.2025 with the stakeholders and the learned Amici Curiae, during which the concerned agencies explained the modus operandi and related operational details. It is stated in the status report that the work is currently in progress, and the same is taken on record.

18. Since the work is underway, the concerned institutions as well as the respondents are directed to file a status report detailing the stage and progress of the work undertaken by the institution/expert body on or before 19.09.2025.

19. It is needless to mention that the upper cap limit already fixed in the matter shall continue to remain in force, and the same shall be strictly adhered to at all times.



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20. With regard to the status report on other aspects, the learned Special Government Pleader seeks a further period of four weeks' time, which is granted.

21. **Call on 19.09.2025.**

(E) BED AND BREAKFAST

(W.M.P.No.14765 of 2025)

and

(F) IMPLEADING PETITION BY HOTEL ASSOCIATION

(W.M.P.No.16969 of 2025)

22. With reference to homestays and bed-and-breakfast accommodations, the status report filed by the District Collector, Dindigul District, is placed on record. A copy of the District Revenue Officer's communication is also placed on record. From the contents of the status report, it is evident that the District Administration has proceeded fairly and diligently in the matter. It is further noted that the District Administration, Dindigul, has identified the following details with regard to bed-and-breakfast establishments:



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Sl. No.	Details furnished after making inspections till 08.07.2025	No. of activities
1	No. of Form No. D issued by the Tahsildar, Kodaikanal	254
2	No. of Tourism Licence Registrations issued by the District Tourism Officer	220
3	No. of Trade Licences issued by Municipal Commissioner, Kodaikanal	182
4	No. of Hotels / Lodges run without getting any licence	95

23. It is stated in the status report that only 2 out of 95 identified establishments have been closed thus far, and that further steps are underway to enforce the applicable rules by initiating closure proceedings against all unlicensed and illegal homestays, cottages, resorts, and similar accommodations.

24. With reference to the Nilgiris District, Dr.T.Seenivasan, learned Special Government Pleader placed some of the statistics that the notice(s) are being issued and as many as 945 illegal cottages / resorts are identified and the process is on for issuing notices to them. It is also stated in the status report that only one homestay is already sealed. The same is taken on record. Let further steps shall be taken in that regard both in The Nilgiris and Dindigul District.



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25. A memo has also been filed by the learned counsel for the petitioner bringing to the notice of this court that even some of the licensed homestay(s) are operated in completely illegal buildings. A copy thereof has also been served on the learned Special Government Pleader. Instructions may be obtained in this regard, and if it is found that the entire building housing the homestays is unauthorized or in violation of building regulations, then the action already taken as well as the proposed course of action, shall be clearly mentioned in the next status report.

26. Call on 29.08.2025.

(G) VERTICAL CUTTING

(W.M.P.No.31696 of 2023)

27. With reference to the issue of vertical cutting, the learned counsel for the petitioner has today placed on record the exact location where such vertical cutting has been carried out.

28. In response, the learned Special Government Pleader (Forest) has submitted a report from the National Highways, Salem NH Circle, stating that



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the vertical cutting is part of a project aimed at preventing landslides and soil erosion. The measures undertaken to include the construction of breast walls, gabion walls, geo-matting to cover earth slip portions, grass seeding, and construction of culverts, across selected stretches from Km 66/4 to Km 155/8 of the Coimbatore – Ooty – Gundalpet Road (NH-181) in the State of Tamil Nadu. The project is being executed pursuant to earlier sanctioned work to the tune of Rs. 19.47 crores, as per the order dated 20.11.2024.

29. In this regard, a comprehensive status report shall be filed on the next date of hearing, which shall specifically indicate, (i) the locations where such works are presently being carried out; (ii) the locations identified for future work; (iii) the locations where the work has been completed; (iv) the expected date of completion for the ongoing works; and (v) a clear statement that in the areas where the works are undertaken, the width of the road has remained unchanged, and that no road widening has been carried out.

30. Call on 29.08.2025.

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



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To

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.

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

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

7.The Field Director,

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Mudumalai Tiger Reserve, Mount Stuart Hill,
Ooty, The Nilgiris.

8.The District Forest Officer,
The Nilgiris District, Mount Stuart Hill,
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9.The Commissioner,
Kodaikanal Municipality, Kodaikanal,
Dindigul District.

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11.The Transport Commissioner,
Government of Tamil Nadu, Commissionerate
of Transport and Road Safety, Ezhilagam,
PWD Estate, Chepauk, Triplicane,
Chennai - 600005.

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

13.The Additional Chief Secretary,
Department Of Tourism, Culture And
Religious Endowments Department,
Government Of Tamil Nadu, Secretariat,
Fort St.George, Chennai.600 009.



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N.SATHISH KUMAR, J.
AND
D.BHARATHA CHAKRAVARTHY, J.

kmk

14.The Secretary To The Ministry Of
Road Transport And Highways, Transport
Bhawan, No.1, Parliament Street,
New Delhi.110 001.

15.The Chairman, Tamil Nadu Pollution Control Board,
No.76, Mount Salai, Guindy,
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