



W.P.No.15120 of 2019 & W.M.P.No.15112 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04..09..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.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,

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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)

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



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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
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,



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

Mr.C.Mohan, Amicus Curiae



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Mr.Rahul Balaji, Amicus Curiae

ORDER

This court has heard both sides.

2. Status report is filed on behalf of the TASMAC. It is now stated that pursuant to the orders of this Court, G.O.(Ms).No.81, Home, Prohibition and Excise VI(1) Department dated 14.08.2025 is also issued by the Government of Tamil Nadu, whereby, it has mandated the TASMAC Authority to implement the Buy-back scheme throughout Tamil Nadu in all the Retail Vending Shops/bars etc., The manner in which the Buy-back scheme will be implemented is also detailed the Government Order, where-under, it is ordered that QR Code will be developed and respective manufacturers in their manufacturing line will stick those QR codes which will be able to trace their bottles from the delivery upto the returning and the delivery can also be on anywhere purchase anywhere return basis.

3. The status report also states that they have already implemented the end-to-end computerization job-work throughout the State. Out of the Buy-back



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scheme, it is now implemented in 15 districts fully and partially in 7 districts. It is stated it will be completed in all the districts fully and some-more time is requested. Even though, already the deadline fixed by this Court as expired, in order to give some more time as a last opportunity, time is extended to complete the extension of the buy-back scheme in all the shops in all the districts throughout Tamil Nadu on or before 30.11.2025.

4. All steps shall be taken to implement the Government Order in full including the QR code etc., by then so that the system can be put in place and further improvements can be made thereon. Towards increasing the efficiency of the system, we had also suggested to conduct a meeting with all the manufacturers, as it is their responsibility to deal with this solid waste management and also to provide funds for the local authorities to deal with the wastes. In that regard, as per the status report, it is submitted that three of the manufacturers have agreed to take back the bottles, while the others have not agreed. In this regard, the relevant Rules namely the Solid Waste Management Rules, 2016 as amended in 2020, more specifically, Rule 17(1) has been brought



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into effect and these solid waste generators have to pay for the scheme of the management. In any event, once more, the meeting can be conducted with the above manufacturers also so that the entire system of the bottle reaching the manufacturers for recycling can be made fool proof and no bottles will be swayed into the environment. The Managing Director, TASMAC is also directed to take steps in that regard.

5. With reference to the concerns that are raised on behalf of the labourers, it can be seen that with the implementation of the Buy-back scheme, in addition to the regular works, the labourers are also performing the collecting of Rs.10 per bottle and taking the bottle return and then returning the Rs.10 and maintaining the accounts thereof, storing and also handing over the bottle to the concerned tenderers. Therefore, as submitted in the earlier occasion, the Committee has been constituted to go into workload etc., and come up with suggestions, it can be seen that still that Committee has not come up with report or suggestions. Let the concerned Committee come up with the report and suggestions as to whether additional manpower is needed or any other mechanism by which the concerned



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workers can also be taken into account and the report as well as the action taken in respect thereof can also be placed before this Court on the next hearing date.

6. In order to consider the further progress and also the report, call this matter on 10.10.2025.

(N.S.K., J.) (D.B.C., J.)
04..09..2025

dhk

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,

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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.

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

12.The Principal Secretary,



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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.

14. Ministry of Health and Family Welfare,
Government of India,
Represented by its Secretary,
Nirman Bhawan, New Delhi – 110011

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

dhk

15. The Department of Health and Family Welfare Department,
Represented by its Principal Secretary to Government of Tamil Nadu,
Secretariat, Fort St.George, Chennai – 600 009

16. The Secretary to the Ministry of Road Transport and Highways,



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Transport Bhawan, No.1, Parliament Street,
New Delhi.110 001.

17. The Chairman, Tamil Nadu Pollution Control Board,
No.76, Mount Salai, Guindy,
Chennai 600032.

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and connected MP**

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