



*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 : 29..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

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

This matter relates to the use of the single use plastic which is banned by the Government of Tamil Nadu vide G.O.Ms.No.104, Environment, Climate Change and Forest Department dated 23.06.2025 which is finding its way into the entire Nilgiris Biosphere and the other parts of the Western Ghats by way of food packaging materials, eatable packaging materials and other packing materials. The result is that tons and tons of these toxic waste get strewn into the forest and through the stream and ultimately into the affluent upper reserves of



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almost all the rivers and drinking water sources. Thus, the micro plastics finds their way into the human beings as well as the animals. Apart from those drinking water, unknowingly the animals also directly chew up the packaging materials which are strewn all around the forests. The situation is extremely alarming and absolutely, no human being bothers about the same. Even dealing with these plastic waste through solid waste disposal mechanism poses a serious challenge to the local bodies. The following are the data about the plastic materials and plastic waste found whenever postmortem are conducted on the animals in these areas.

Sl.No	Year	Circle	Division	Range	Name of Wild Animal	Date of occurrence
1	2025	ATR	Coimbatore	Coimbatore	Female Elephant	20.05.2025
2	2025	MTR	Gudalur	Ovally	Female Elephant	08.07.2022
3	2025	Chennai	Chennai	Spotted Dear	Spotted Dear	17.02.2025



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2. This apart, the Nilgiris Biosphere is the source of water in respect of the entire adjacent districts up-to the delta area. When these offending materials are strewn, they find their way into the forest and the water reserves and it is now stated that Bisphenol A is an element of micro plastic which poses grave threat to the very public health itself. The report of the progress of research done by a reputed institution namely PSG Institute of Medical Sciences and Research, Coimbatore had given details about the analysis of at-least 10 Cord Blood Samples of mothers which has the risk of prenatal BPA exposure. The entire report though interim in nature, refers to so many other research works and the entire report on the Cord Blood study is extracted hereunder for ready reference:-

“ Report on the Cord Blood study

Microplastics comprise of several elements including Bisphenol A (BPA) and is a public health hazard related to plastic pollution. Microplastics are small plastic fragments and BPA is a chemical compound used in the production of plastics. BPA is an endocrine disruptor, and its presence in the environment, raises concerns about potential health impacts". Bisphenol A (BPA) has emerged as one of the most commonly used endocrine disrupting chemicals, which can interfere with hormone functions."

Measuring BPA levels in cord blood can provide valuable biomarker for epidemiological studies examining the long-term health effects of prenatal BPA exposure". These findings can, in



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turn, inform public health policy decisions regarding the regulation of BPA in consumer products used by pregnant women, ultimately guiding efforts to mitigate potential health risks. This study aims to enhance our understanding of fetal exposure to BPA and its potential health implications. Specifically, our study seeks to: Quantify BPA levels in cord blood, Investigate the relationship between cord blood BPA levels and maternal exposure, and Explore potential correlations between BPA exposure and fetal outcome.

Biomarkers for epidemiological studies investigating the long-term health implications of prenatal BPA exposure can be obtained by measuring the levels of BPA in cord blood. These results can then guide efforts to reduce any health hazards by informing public health policy decisions about the regulation of BPA in consumer products used by expectant mothers. Our knowledge of fetal exposure to BPA and its possible health effects is intended to be improved by this study. Our research specifically aims to Measure the concentration of BPA levels in cord blood. Examine possible connections between maternal BPA exposure and cord blood BPA levels, as well as any possible relationship between fetal development and BPA exposure.

By examining these relationships, this study will contribute valuable insights into the effects of BPA exposure on fetal health and development Quantification of BPA in cord blood can serve as important biomarkers for epidemiological studies investigating the long-term health impacts of prenatal BPA exposure and can inform public health policies regarding the regulation of BPA in consumer products used by pregnant women.

This is an ongoing prospective observational study, and approved by the Institutional Human Ethics Committee, PSGIMSR.



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Coimbatore. The study participants were pregnant women admitted to the obstetrics (OG) ward at PSG Hospital. Informed consent was obtained from participants before collecting the samples. After delivery, the leftover cord blood was collected and stored in a -80°C deep freezer until analysis. For the initial analysis, we have used the previously published HPLC analytical method to measure BPA concentration levels in the cord blood samples.

So far we have analysed 10 samples and found the BPA concentration to range from 0.43 to 1.1578 $\mu\text{g/kg}$ body weight (bw) in cord blood samples. The average concentration was 0.7194 $\mu\text{g/kg}$ body weight. As per current guidelines, these concentrations were above the recommended tolerable daily intake (TDI) value of 0.2 ng/kg bw/day . The details of the analysed samples is attached along with the mothers details.

We propose to analyse more number of samples and also other chemicals such as phthalates which is a major component of plastics.

References

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13. EFSA Panel on Food Contact Materials. Enzymes and Processing Aids (CEP), Lambre C. Band Baviera JM. Bolognesi C, Chesson A, Cocconcelli PS, Crebelli R. Gott DM. Cirob K. Lampi I. Mengelers M. Re-evaluation of the risks to public health related to the presence of bisphenol A (BPA) in foodstuffs. EFSA Journal. 2023 Apr;21(4):e06857.”

3. Upon going through the same, thus, it can be seen that if the plastic can pollute even the placenta of the mother then this is the case where the authorities concerned have to consider the same with the seriousness it deserves. Thus, the degradation of the environment also takes it with its fold the grave health risk of the one of the species namely the human being also apart from the millions of flora and fauna that are existing in this eco-sensitive areas. Therefore, in that view of the matter, the following orders are passed:-

(i) Ministry of Health and Family Welfare, Government of India, represented by its Secretary, Nirman Bhawan, New Delhi – 110011 and the Department of Health and Family Welfare Department, represented by its Principal Secretary to Government of Tamil Nadu, Secretariat, Fort St.George,



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Chennai – 600 009 are suo motu impleaded as the respondents 17 and 18 respectively. The Dean, TANUVAS is already there as a party respondent.

4. The Dean, TANUVAS and the respective authorities are directed to come up with their initial response as to the manner in which they propose to undertake the studies etc., with reference to this hazard due to the exposure of micro plastics and various elements attached to it to the environment, animals and ultimately, the human beings which will have a serious and grave threat even to the new born babies in future.

5. The main reason for including the micro plastics appears to be by from the plastic products which has been used for the drinking water and food products. Therefore, the respondents shall give concrete suggestions and steps in this regard to prevent huge and environmental disaster not only to the animals but also the human health in future.



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6. Mr.V.Chandrasekaran, learned Senior Panel Counsel accepts notice for the newly impleaded respondent No.17 and Dr.T.Seenivasan, learned Special Government Pleader (Forests) accepts notice for the respondent No.18.

7. To come up with their initial response, call on 10.10.2025.

(A) Ban of Single Use Plastic Products/Pet Bottles

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

8. With reference to the other steps that are being taken, a status report is filed by the District Collector which shows that an NGO has been involved for conduct of a brand audit so as to identify the persons whose products are being sent to Nilgiris and are being sold in the market to fix the responsibility. Let the said work be completed. The Tamil Nadu Pollution Control Board has also placed on record about the minutes of the meeting that was conducted in District Level on 08.08.2025, the contents of the entire minutes had taken note of. As requested by the District Environmental Engineer, TNPCB, the members from



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Tourism Departments, Nilgiris Mountain Railways, Transport Department, Road Transport and Highways and Regional Transport Department shall co-opt to achieve the goal of Plastic Free Nilgiris. The above Departments shall nominate the responsible officers of their department for the ensuing meetings and to be part of the initiatives. After the identification works of the stakeholders, let further meetings be conducted as directed in the earlier order. The same methodology can also be followed by the District Collector, Dindigul to identify the stakeholders with reference to the Kodaikanal also by conducting brand audit by involving the similar NGO who are well equipped or by conducting brand audit by experts. Mr.P.T.Ramkumar, learned counsel shall also inform about the order to nominate persons from the Nilgiris Mountain Railways.

(B) Water ATMs and RO Plants:

9. In the status report, it is stated that the District Collector, Nilgiris had meeting with the SBI officials and some places were identified for installation of the Water ATMs, whereas, Mr.C.Mohan, learned amicus curiae submitted that the



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SBI officials are ready to install suitable unit for Nilgiris in the place identified if the proper quotation is given by the District Collector. Such view of the matter, the District Collector shall get quotation for proper installation of proper unit from the reputed persons in this regard which is suitable for the Nilgiris and handover to the SBI. The first unit shall be installed in Government Botanical Garden, Ooty and later in the other places identified.

10. In the status report, it is also stated that the process for scrapping of 38 non-functional water ATM units is under process for scrapping.

(C) Bed and Breakfast

(W.M.P.No.14765 of 2025 in WP.No.15120 of 2019)

11. With reference to the further action to be taken of the establishment that are run on unauthorized building and completely unauthorizedly, further status report is placed on record whereby it is mentioned that totally they have found 1126 hotels, resorts, homestays and bed and breakfasts establishments and



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of which finding violations, notices have been issued to 854 such undertakings, action is being pursued pursuant to the notices and so far 20 establishments have been identified as illegal and sealed by the local bodies, further action will be taken in respect of the other establishments as per law.

12. It is made clear that the orders are passed pursuant to the directions issued by this Bench and any challenge to such sealing orders etc., shall also be filed before this Bench. Registry is directed to place such writ petitions before the same Bench after getting due orders from the Hon'ble Chief Justice.

Impleading Petition by Homestay Association

13. The Nilgiri Homestay and Bed & Breakfast Association consisting of 27 members have also filed a petition in WMP.No.37106 of 2025 to implead themselves as the respondent in WP.No.15120 of 2019 and for other reliefs. Dr.T.Seenivasan, learned Special Government Pleader (Forests) takes notice and seeks time for filing counter.



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14. It is brought to our notice by the learned amici curiae that resorts that are mushrooming in and around Masinagudi area use loudspeaker to entertain the guests during night time, the same thoroughly and completely violates the nocturnal environment of the animals and interferes with their right to life. Even the areas which are outside the corridor and reserve forests are also known for the wildlife during the night time and is habitat naturally for those species which will venture out in the night and these kinds of loud music during the night time will completely invades their habitat and pose a threat to their very existence. In view thereof, the District Collector, Nilgris, District Forest Officer, Nilgiris and District Environment Engineer, TNPCB are required to inspect these resorts and take note of the kind of the speakers, their capacity and other equipments which are all employed in these resorts and to file a report. In the report, they shall also suggest the capacity, decibel up-to which the speakers can be there in this resort.



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15. Call these matters on 10.10.2025.

**(N.S.K., J.) (D.B.C., J.)
29..08..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,
The Nilgiris District.

5.The Commissioner,
Gudalur Municipality, Gudalur,
The 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.

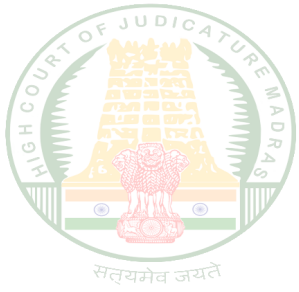
8.The District Forest Officer,
The Nilgiris District, Mount Stuart Hill,
Ooty -643001.

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,
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.



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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

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,
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.

**N.SATHISH KUMAR, J.
AND**



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D.BHARATHA CHAKRAVARTHY, J.

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