



W.P.No.15120 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 21.11.2025

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.No.15112 of 2019, W.M.P.No.8422 of 2024,

W.M.P.Nos.14765 & 16969 of 2025, W.M.P.No.37106 of 2025, W.M.P.No.31696
of 2023

W.P.No.15120 of 2019

G.Subramania Koushik
(s)

... Petitioner

Vs

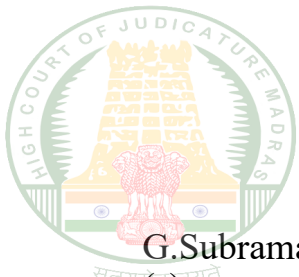
1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George,
Chennai 600 009 and 29 others

... Respondent(s)

*[R17 to R30 suo motu impleaded vide this order
dated 21.11.2025 in W.P.No.15120 of 2019]*

W.M.P.No.15112 of 2019

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G.Subramania Koushik
(s)

... Petitioner

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Vs

1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St. George,
Chennai 600 009 and 15 others

... Respondent(s)

W.M.P.No.8422 of 2024

G.Subramania Koushik
(s)

... Petitioner

Vs

1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George,
Chennai 600 009 and 15 others

... Respondent(s)

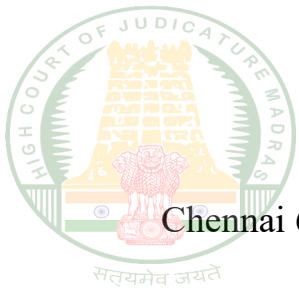
W.M.P.No.14765 of 2025

G.Subramania Koushik
(s)

... Petitioner

Vs

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



W.P.No.15120 of 2019

Chennai 600 009 and 15 others

... Respondent(s)

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W.M.P.No.16969 of 2025

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

... Petitioner
(s)

Vs

1.G.Subramania Koushik and 15 others

...
Respondent(s)

W.M.P.No.37106 of 2025

M/s.Nilgiri Homestay and Bed and Breakfast Association,
Represented by its Secretary Mr.Mugunthan Ganapathy,
Mayston, 124 Grays Hills, Coonoor,
The Nilgiris – 643 101.
(s)

... Petitioner

Vs

1.G.Subramania Koushik and 16 others
Respondent(s)

...

W.M.P.No.31696 of 2023

Shantha Thiagarajan
(s)

... Petitioner



W.P.No.15120 of 2019

Vs

WEB I.G.Subramania Koushik and 11 others
Respondent(s)

...

W.P.No.15120 of 2019

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, 30

Mrs.A.Sri Jeyanthi for R4

Mr.R.Srinivas, Senior Counsel for
Mr.K.Madhan for R12

Mr.V.Chandrasekaran, SPC
for RR15, 28, 29

Mr.B.N.Suchindran,
Standing Counsel for TNPCB for
R16

Mr.P.T.Ramkumar, Standing Counsel
for Railways

Amici Curiae

1. Mr.C.Mohan, Advocate
2. Mr.T.Mohan, Senior Advocate
3. Mr.M.Santhanaraman, Advocate
4. Mr.Rahul Balaji, Advocate



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ORDER

Ban on Single Use Plastic Products/Pet Bottles :

Today, a status report and the minutes of the review meeting are placed on record by Dr.T.Seenivasan, learned Special Government Pleader and the learned Standing Counsel for the Pollution Control Board. It is stated that, on 12.11.2025, the meeting was conducted with ten brand owners and the views of seven brand owners are recorded and summarised in the meeting. It is noted that, each of the brand owner has expressed their concern and also brought on record what they are doing for reduction of plastic waste and also the other measures. The review meeting under the chairmanship of the Additional Chief Secretary to Government, Environment, Climate Change and Forest Department, is also conducted on 18.11.2025 and after the elaborate discussions, the following key directions and action points are arrived at :

“Key Directions / Action Points :

1.Brand owners shall be required to collect 100% of plastic waste generated from their products in Kodaikanal and The Nilgiris, given their status as highly eco-sensitive zones.



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2. Within three months, brand owners must come out with sustainable, eco-friendly packaging alternates for The Nilgiris and Kodaikanal.

3. Departments and district administrations shall ensure aggressive monitoring, and strict enforcement.”

2. Therefore, it is just and necessary that these key directions are put to the leading brand manufacturers and any other brand manufacturers whose plastic waste are reaching the western ghats, more specifically, in The Nilgiris and Kodaikanal and their views have to be ascertained. In view thereof, it is just and necessary that the following ten brand owners, who already participated in the meeting, are proper parties to this case, and accordingly, **we suo motu implead them as respondents 17 to 26 :**

(1) Hindustan Unilever Limited,

(2) Represented by The Chief Executive Officer & Managing Director,

(3) D1 L0, Hindustan Unilever Limited

Unilever House, BD Sawant Marg, Chakala, Andheri East,

(4) Mumbai 400099.

(5)

(6) Nestle India Ltd

(7) Represented by The Chairman and Managing Director

(8) Nestlé India Ltd.

(9) Nestlé House, Jacaranda Marg M Block

DLF City Phase II, National Highway 8



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Gurgaon 122002, India

WEB C (10) Hatsun Agro Product Ltd.,

(11) Represented by The Chairman,

(12) Hatsun Agro Product Ltd

(13) Plot No 14, TNHB, TN Housing BOARD 'A' Road, Sholinganallur,
Chennai - 600119.

(14)

(15) Britannia Industries Limited

Represented by The Chairman,

(16) Britannia Industries Limited

(17) 5/1A, Hungerford Street Kolkata - 700017, West Bengal

(18)

(19) Parle Agro Private Limited

(20) Representd by The Chairman & Managing Director,

(21) Parle Agro Private Limited

(22) Western Express Highway, Sahar-Chakala Road,

(23) Parsiwada, Andheri (E), Mumbai 400 099 .

(24)

(25) Cavinkare Pvt Ltd

(26) Represented by The Chairman & Managing Director,

CavinKare Private Limited

No. 12, Poonthamallee Road

Ekkatuthangal

Chennai – 600 032

(27)

(28) Mondelez India Foods Private Limited

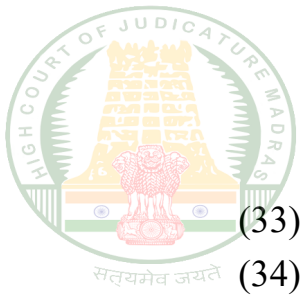
(29) Represented by The President,

(30) Mondelez India Foods Private Limited

(31) Mondelez House, Unit No. 2001, 20th Floor, Tower-3 (Wing C), One
International Centre (formerly Indiabulls Finance Centre),

(32) Parel, Mumbai,

Maharashtra, India – 400013



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(33)

(34)

(35) Procter & Gamble

(36) Represented by The Managing Director,

(37) Procter & Gamble Hygiene and Health Care Limited,

(38) India P&G plaza, Cardinal Gracias Road, Chakala,

Andheri (E), Mumbai – 400099

(39)

(40) PepsiCo India

(41) Represented by The Chief Executive Officer,

(42) PepsiCo India & South Asia, Jagrut Kotecha

PepsiCo India Holdings Private Limited, 5th Floor, Tower – A, Intellion

Edge, Southern Periphery Road, Sector – 72,

(43) Gurugram - 122101, Haryana, India

(44)

(45) ITC Limited

(46) Represented by The Chairman and Managing Director

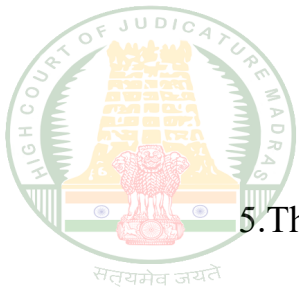
(47) ITC Limited, Virginia House, 37 Jawaharlal Nehru road,

(48) Kolkata, West Bengal, 700071.

(49)

3.It is made clear that, if any further brand owners' names and particulars also come up, they will also be subsequently impleaded in this case.

4.Let notice be issued to these newly impleaded parties, returnable by 23.01.2026.



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5.The status report also contains the information as to the waste audit that is

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by the Government. It is appreciable that the authorities have conducted waste audit. It is submitted that, with reference to the solid waste, as far as The Nilgiris is concerned, bio-mining is completed at Coonoor and tenders are floated in Kothagiri and Kodaikanal. It is stated that in respect of Ooty, it is under process. Whether it is under process for finalising the tenders or bio-mining, is not clear and the learned Special Government Pleader is requested to get instructions and place on record as to the steps taken so far. With reference to Kodaikanal, it is stated that bio-mining works can commence only if funds are allotted for legacy waste mining. The Government shall look into the matter, as in the hill stations, the legacy waste cannot lay dumped, as the poisonous substances and pollutants will find ways to the water sources and ultimately lead to degradation of the entire water sources that may reach the plains and pollute the earth also. Therefore, the Government shall take urgent steps by treating this as an emergency requirement and funds be allotted as early as possible.

6.It is further placed on record about the State Initiatives on Plastic

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Reduction and Compliance. The awareness that is being conducted in The

WEB Nilgiris, Kodaikanal and Coimbatore, is placed on record. The campaign with

reference to the ban of 14 single-use plastic and the national ban on additional single-use plastic and Meendum Manjappai are also placed on record. The same shall be continued as such. The enforcement, so far, that has been done with reference to the closure of 287 illegal single-use plastic manufacturing units, field inspections, raids conducted and penal action that is taken, are also mentioned as highlights. Needless to state that the enforcement shall continue with full vigil. Unless the enforcement is made stricter and all these stakeholders come to know that no banned plastic items can reach The Nilgiris and even if they smuggle some items, they will eventually get caught and be penalised, the usage cannot be drastically reduced. Therefore, such steps are to be continued. For filing additional further status report, call on 23.01.2026.

7. With reference to the supply of milk in plastic packets, the issues that are flagged are the solid waste management and the threat on account of micro plastics, which is injurious to health, as it is found that micro plastics are found

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inside the human body, even in placenta, which is substantiated by the research

WEB COPY report of the PSG College of Technology. In view thereof, with reference to

dealing with the plastic waste that is generated out of supply of milk in plastic

packets, the leading milk suppliers, viz., Aavin and Hatsun are also to be *suo motu*

impleaded as respondents in this case. As Hatsun is already impleaded *supra*, we

implead the following party as 27th respondent :

1.The Tamil Nadu Co-operative Milk Producers' Federation Limited,
(AAVIN), Aavin Illam, TCMPF Ltd.,
3A, Pasumpon Muthuramalingar Salai,
Nandanam, Chennai – 600 035.

8.Let notice be issued to the newly impleaded 27th respondent also,
returnable by 23.01.2026. Call on 23.01.2026.

Micro Plastics :

9.With reference to the issue of micro plastics, our directions to the Central
and State Governments are not complied with and they have also not filed their
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respective response. One more opportunity is given, as both the learned counsel

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seek for more time. It is also submitted by Dr.T.Seenivasan, learned Special

Government Pleader that the Commissioner of Food Safety had issued certain directions. That may be so. The Commissioner of Food Safety has issued directions in order to enhance safety with reference to use of plastic packaging in food, but the Health Department has to take care and an overall stand and informed decision has to be arrived at.

10.Let the directions that are issued by the Commissioner of Food Safety also be placed on record. However, what is the proposal that is being mooted by the Health Department of State and Central Governments, shall also be placed on record. For filing a status report, call on 05.12.2025.

11.It was brought to our notice that the parties to whom directions are issued, were not impleaded on the last occasion. In view thereof, **the following**
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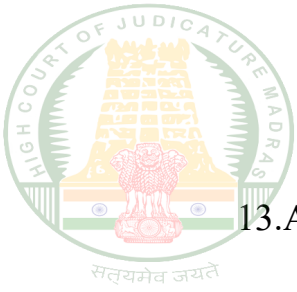
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parties are suo motu impleaded as respondents 28 to 30 in this case :

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- (1)The Secretary to Government,
(2)Ministry of Health and Family Welfare,
(3)Government of India,
(4)Nirman Bhawan, New Delhi – 110011.
(5)
 - (6)The Secretary to Government,
(7)Ministry of Environment, Forest and Climate Change,
(8)Government of India,
(9)Indira Paryavaran Bhawan, Jorbagh Road,
(10)New Delhi – 110 003.
(11)
 - (12)The Secretary to Government,
(13)Health and Family Welfare Department,
(14)Government of Tamil Nadu,
(15)Fort St. George, Chennai – 600 009.
- 1.
 - 2.
 - 3.
 4. 12.Mr.V.Chandrasekaran, learned Senior Panel Counsel, takes notice for the respondents 28 and 29 and Dr.T.Seenivasan, learned Special Government Pleader, takes notice for the 30th respondent.
 - 5.

Water ATMs and RO Plants :



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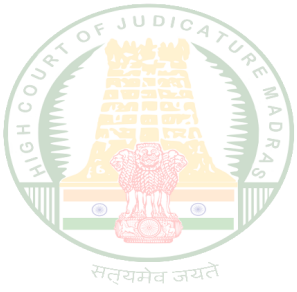
13.A status report is filed on record with reference to the procurement of

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machines from the private players which will dispense both warm and ordinary water, which is on paid basis. When we enquired about the further details as to the pricing of water, whether the private player will supply water free of cost or on cost basis, and if it is free of cost, how many litres of water will be supplied by the private player, etc., further time is requested to get back with them and place the details on record. Let the work progress and the details also be placed on record in the next hearing. *Dehors* this, it is just and necessary to provide safe and clean drinking water to the common public free of cost or atleast at a nominal cost of Re.1/- or Rs.2/- like that. Therefore, what are the feasible steps in that regard and the type of mechanism that can be used for delivering safe and clean drinking water which can be tapped from the piped supply of the Municipality itself, can be placed on record on the next hearing.

14.With reference to the tourist spots under the control of Forest Department, the steps that are to be taken by the Forest Department for providing drinking water to them, also be placed on record.

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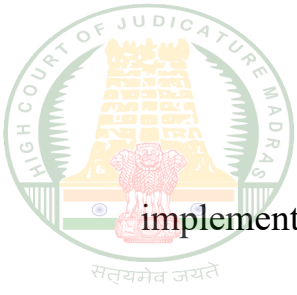
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15.It is also brought to our notice that the Parsons Valley water supply by the Municipality to all the residents by way of piped supply, the water is always certified to be clean and safe drinking water. It is also brought to our notice that the separate mechanism which is successfully run in Kothagiri can also be replicated and the learned *Amicus Curiae* have also submitted that they will place on record the working of the supply mechanism in next hearing.

16.It is also brought to our notice that the BARC sponsored system is working well and as a matter of fact, it has been installed in 400 houses in several tribal villages in and around Mudhumalai and the same is working well and every one is satisfied with the output of clean and safe drinking water. The said option can also be explored by the District Administration for the purpose of providing clean and safe water supply for the tourists, visitors and residents.

17.With reference to installation of Water ATMs, the steps taken in
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implementation of the order as far as Kodaikanal is concerned, are placed on

WEB.COM record by way of a status report filed on behalf of the District Collector Dindigul.

It is stated that 12 Water ATMs have already been installed and further steps are being taken in coordination with the State Bank of India and other Banks for installation of RO Plants at vantage locations. The same can be proceeded. Even the BARC model of providing clean and safe drinking water can also be replicated in Kodaikanal also.

18.Call on 05.12.2025.

Carrying Capacity/E-Pass :

19.With reference to the carrying capacity, reports are placed on record about the meeting with the Indian Institute of Technology (IIT), Madras and Indian Institute of Management (IIM), Bengaluru. The minutes categorically states that they are going to follow a particular formula that is developed by the GB Pant Institute in respect of the Himalayan Region. While there could be no issue in following a developed mechanism, but care must be taken whether it can be

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applied to the present circumstances. In the instant case, we are not concerned

only with reference to the regulation of tourism alone or dealing with the core tiger

reserve alone, but by taking into account The Nilgiris as a Biosphere in toto and

what is the capacity that can be fixed with reference to the entire human

population and activities, so that there will not be any further loss of biodiversity

and environment degradation. That is the basic purpose with which we directed

fixing of carrying capacity. The most important distinction being, The Nilgiris is

not only dependent on the tourism income, as a matter of fact, tourism income is

only a minor part of it and the major part of the economy is on agriculture,

horticulture, tea and other activities. This has also to be borne in mind. The

livelihood of The Nilgiris and Kodaikanal, more specifically, the amount of wild

life, flora and fauna is manifold when compared to the Himalayan region. The

density in which the wildlife live in the area is not comparable to any other place.

These are the things which have to be borne in mind and additionally considered.

The formula should be developed in such a manner that it is not restricted only to

tourism and the vehicle carrying capacity alone. In this regard, our original order

that was passed at the time of taking up the comprehensive study, has to be borne

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in mind. The carrying capacity shall be area specific. Therefore, if any parameters

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are to be clarified and in order to get more clarity on records, a physical meeting with the officials, experts and *Amici Curiae* can also be considered and conducted at the earliest, as per the convenience of the parties before filing the interim report.

20.Call on 23.01.2026 for filing further status report.

21.The particulars with reference to the parking facilities in respect of Kodaikanal is also placed on record. The number of vehicles entering Kodaikanal is also given by way of a tabular column. It is also stated Boom Barriers with e-Pass readers and Automatic Number-Plate Recognition Cameras have been installed and the erection has been completed and the traffic movement is now smoothed and security is enhanced. The vehicle entries with reference to each month is also mentioned in Para No.13. With reference to the implementation of the Green Tax System and seizure of plastic products, particulars are provided in Para No.14 and the quantity that is mentioned in the tabular column is taken note of.

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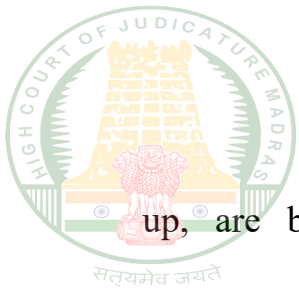
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Bed and Breakfast & Impleading Petition filed by Hotel Association & Impleading Petition by Homestay Association :

22. With reference to bed and breakfast and the homestays in The Nilgiris, by Annexure, a status report is filed. The status report itself is wrongly titled as “Regularisation of Illegal Cottages, Homestays, Hotels, Resorts”. It is made clear that the objective with which the Court is dealing with the matter is not regularisation, but to close down the illegal undertakings. The action taken on notices is listed by way of a tabular column. In respect of Udhagamandalam, while it is said 120 notices are issued and 61 replies have been received from the owners and 59 replies are not received, what is the final order passed is not placed on record. It is only stated that, in respect of 19 establishments, lock and seal orders have been passed. With reference to the rest of the notices, in all totaling to 896, expeditious steps are to be taken in accordance with law to pass final orders and to take further action in enforcing the orders. Several photographs have also been annexed, whereunder, this Court is able to see huge buildings that have come

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up, are being sealed only now for not having any valid permission for

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construction. Therefore, while further final orders of demolition, etc., have to be passed, it should be informed to the enforcement officials such as the Area Engineer, etc., as to why they have not so far noticed all these illegal constructions coming up within their jurisdiction. It is made clear that, henceforth, further action will also be taken against those who wilfully abstain from noticing or taking action against such constructions at a very early stage. Allowing huge buildings to come up in full without even the basic permission, also tells on the manner in which the enforcement machinery is working. A further status report be filed with reference to the fate of these 896 notices that are issued and what are the final orders passed in respect of the buildings where lock and seal notices are issued. Further orders are to be passed restoring the property to its original condition or such other orders as may be permissible under law, also have to be passed.

23.The action taken on violators in respect of the home stays and illegal cottages in respect of Kodaikanal, is placed on record. It is stated that 642 notices have been issued, of which, in respect of 84 buildings, already action has been

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taken. Another 81 notices have been served. The number of notices issued to

illegal cottages without licence is also mentioned and the number of cases where

action are being taken against the persons who have not filed request to renew their Form-D, are also mentioned. While the status report contains the details of notices served, the further particulars of the further action taken in respect of the non-compliant buildings/persons, is not placed on record. Let the details of the further action taken pursuant to the issuance of notice, be placed on record by way of further status report.

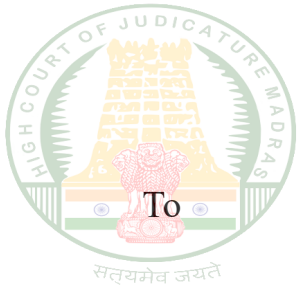
24.Call on 23.01.2026.

Vertical cutting :

25.With reference to vertical cutting, one more opportunity is prayed for by the learned Special Government Pleader. Call on 05.12.2025.

[N.S.K.J.,] [D.B.C.J.,]
21.11.2025

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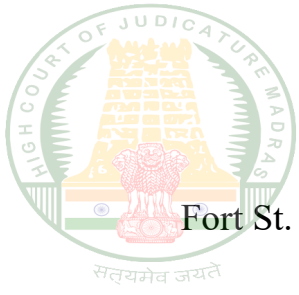
16.The Tamil Nadu Co-operative Milk Producers' Federation Limited,
(AAVIN), Aavin Illam, TCMPF Ltd.,
3A, Pasumpon Muthuramalingar Salai,
Nandanam, Chennai – 600 035.

17.The Secretary to Government,
Ministry of Health and Family Welfare,
Government of India,
Nirman Bhawan, New Delhi – 110011.

18.The Secretary to Government,
Ministry of Environment, Forest and Climate Change,
Government of India,
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi – 110 003.

19.The Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,

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Fort St. George, Chennai – 600 009.

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