



W.P.No.15120 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

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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.Nos.14765, 16969 & 37106 of 2025

W.M.P.No.31696 of 2023

W.P.No.15120 of 2019

G.Subramania Koushik

... Petitioner (s)

Vs

1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St.George,
Chennai 600 009 and 30 others

... Respondent(s)

W.M.P.No.15112 of 2019

G.Subramania Koushik

... Petitioner (s)

Vs

1.The Principal Secretary to Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St. George,
Chennai 600 009 and 30 others

... Respondent(s)



W.P.No.15120 of 2019

W.M.P.No.14765 of 2025

WEB COPY G.Subramania Koushik

... Petitioner (s)

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.16969 of 2025

The Tamil Nadu Hotel Association
Represented by its Secretary Mr.R.Srinivasan,
4 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.

... Petitioner (s)

Vs

1.G.Subramania Koushik and 16 others

... Respondent(s)



W.P.No.15120 of 2019

W.M.P.No.31696 of 2023

Shantha Thiagarajan

... Petitioner (s)

Vs

1.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, 27, 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.Arun C.Mohan for R26

Mr.Vinod Kumar for M/s.J.Sagav
Associates for R25

Mr.Madhan Babu for R17

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

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Ban on Single Use Plastic Products/Pet Bottles :

The Status Report filed by the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, today, is taken on record.

2.Mr.Arun C.Mohan, learned counsel, takes notice for the 26th respondent/ITC Limited. Mr.Vinod Kumar for M/s.J.Sagav Associates, learned counsel, takes notice for the 25th respondent/PEPSICO India. Dr.T.Seenivasan, learned Special Government Pleader, takes notice for the 27th respondent/AAVIN. Mr.Madhan Babu, learned counsel, takes notice for the 17th respondent/Hindustan Unilever Limited.

3.In respect of the rest of the newly impleaded respondents, Mr.B.N.Suchindran, learned counsel appearing for the 16th respondent/Tamil Nadu Pollution Control Board, shall serve notice on them for their appearance before this Court on the next date of hearing. While serving notice, the Pollution Control Board shall also serve a copy of the status reports to them, so that the newly impleaded respondents may come out with their suggestions in this regard.

4.Call on 06.02.2026.

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Micro Plastics :

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5.With regard to micro plastics, the learned Senior Panel Counsel would submit that he will file a detailed report on the next date of hearing and that the concerned officials will also participate through virtual mode.

6.Call on 06.02.2026.

Water ATMs & RO Plants :

7.With reference to the installation of Water ATMs and other provisions for providing clean and good drinking water, a status report is filed.

8.The details as to the Water ATMS that are established by involving the private manufacturer, are furnished. It is stated that the stalls are being put up after obtaining permission for the private manufacturer to advertise its own brand. In return thereof, the private manufacturer supplies 20 litres of water for Rs.70/- per can, which, in turn, is dispensed to the public at the rate of Rs.10/- per litre by the self help groups, which caters to the additional expenses that are required for maintenance of Kiosks, resulting in a win-win situation. Such Kiosks are being established at vantage points. The details given are taken on record.



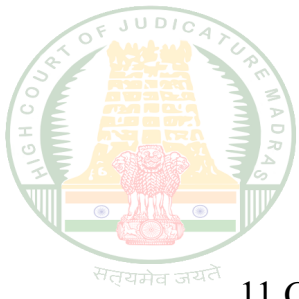
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9. At the same time, with reference to the implementation of BARC sponsored water purifier system and supply of the municipal water from Parsons Valley, as the water is said to be of potable quality, today, the learned Special Government Pleader brought to our notice that, what is implemented as the BARC model in Kothagiri is by supplying this equipment for household use and this cannot be put into use as such for large scale supply and consumption. The picture was also shown to us which is akin to any other water purifier. If the technology is available, certainly, large models of the same, so as to suit the needs of large use, can be considered. In this regard, let the District Administration be in touch with the BARC and explore the possibility of installing such huge models so that the Parsons Valley water, which is supplied by the Municipality, is treated through this purifier method in an extremely hygienic ambience, so that all the tourists and common public will consume the said water with such confidence as is being infused in the Airports.

10. As far as the present system of running the Kiosk is concerned, the same can continue in the meanwhile and the District Administration shall make such endeavours to supply more and more water for the tourists as well as visitors and let further status report with reference to the implementation of the purified water supply, be placed before this Court.

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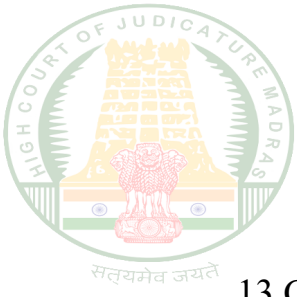
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11.Call on 20.02.2026.

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

12.With reference to Bed and Breakfast, a detailed status report is filed. As per the Tabular Column furnished in Para No.10, it is stated that they have identified totally 920 illegal establishments and they have issued final orders in respect of 705 and locked down and sealed 76, while final notices are pending in respect of another 139. Though the said data is given, no further particulars are given as to what are the nature of violations found, what action was taken pursuant to the final orders that are passed, and if final orders are passed for closing down all the undertakings, why the 76 alone is closed while others are being allowed to run and if there is no impediment such as interim orders in any Appeal, etc., which is filed, why the orders are not implemented immediately. The details as to how many of the establishments closed are large establishments, how many are medium sized and how many are small establishments, are also to be given. Let a detailed status report be given with reference to the action taken. Let an Annexure also be filed by way of a list containing the names of the establishments.



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13.Call on 30.01.2026 for filing a detailed status report as stated above. Let the District Revenue Officer who is said to be heading the Monitoring Committee be present before this Court with all the details stated above.

(D) TASMACH – Buy Back Scheme (Collection of Empty Bottles – Accounting of Sale Proceeds of Empty Bottles) :

14.All along, undertaking was given on behalf of the TASMACH for the following :

- (a) that the entire TASMACH Retail Vending Shops and their activities will be computerised with reference to sale, payments, etc.
- (b) that the stickers containing QR Code will be pasted on each and every bottle, so that the bottles can be returned anywhere at any shop and upon scanning of the QR Code, the bottles can also be traced as to which of the bottles came back and which of the bottles did not.
- (c) that with reference to all the Districts, the Buy Back Scheme will be implemented on or before 31.01.2026.

15.From the Status Report that is filed and the submissions that are made by the learned Additional Advocate General, we see that all the three promises are not fulfilled, though some progress is made with reference to the number of Districts



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in which the Buy Back Scheme is implemented. Therefore, upon hearing the learned Additional Advocate General, he submits that he will file an affidavit of undertaking, once again, intimating as to when the TASMACH will be able to implement all the three of the above.

16.The learned counsel appearing on behalf of the workmen would also submit that their interests should also be taken into account. He had also earlier submitted that that the Grievance Committee has heard all the workmen and the matter is also pending before the Board and the Managing Director in that regard. Therefore, in the affidavit that is to be filed, what are the steps that are to be taken towards the welfare of the employees, shall also be placed on record.

17.The affidavit that is to be filed shall also indicate as to the number of bottles that are sold in the Districts in which the Buy Back Scheme is not being implemented so far. In the affidavit, let the list of suppliers shall also be furnished.

18.Let the affidavit be filed on 30.01.2026, upon which, this Court will pass further orders. Call on 30.01.2026.



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Carrying Capacity/E-Pass :

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19.It is brought to the notice of this Court that both the Institutions, namely IIT, Madras, and IIM, Bangalore, have submitted their reports to the Government on 04.12.2025. Let a copy of the reports be furnished to the learned *Amici Curiae* within a week and also be placed before this Court on the next date of hearing.

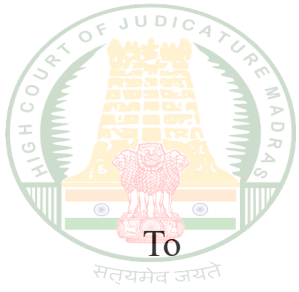
20.Call on 20.02.2026.

Vertical Cutting :

21.At request, call on 20.02.2026.

[N.S.K.J.,] [D.B.C.J.,]
23.01.2026

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To

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- 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, Oot,
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.
- 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



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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.

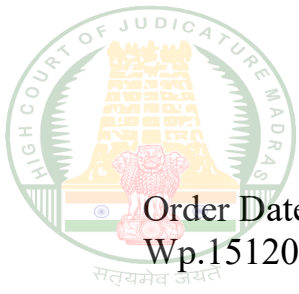
12. The Principal Secretary,
Department Of Municipal
Administration, Urban And Water
Supply, Government Of Tamil Nadu,
Secretariat, Fort St. George,
Chennai.600 009.

13. The Additional Chief Secretary,
Department Of Tourism, Culture And
Religious Endowments Department,
Government Of Tamil Nadu, Secretariat,
Fort St. George, Chennai.600 009.(r13
And R14 Are Suo Motu Impleaded As
Per Order Dated 19.03.2024 In
Wp.15120/2019 By Nskj And Dbcj)

14. 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 Wp.15120/2019 By Nskj
And Dbcj)

15. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai, Guindy, Chennai -
600032. (r16 Suo Motu Impleaded Vide

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Order Dated 27.06.2025 Made In
Wp.15120/2019 By Nskj, Dbcj)

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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,
Fort St. George, Chennai – 600 009.



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

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23.01.2026