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

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20..02..2026

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.Nos.8422 of 2024 & 31696 of 2023**

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

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,



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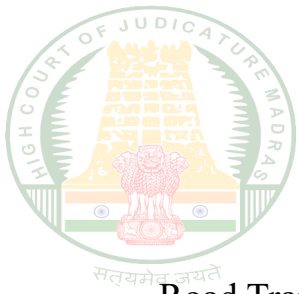
Government of Tamil Nadu,
Commissionerate of Transport and Road Safety,
Ezhilagam, PWD Estate,
Chepauk, Triplicane,
Chennai – 600005.
(R10 AND R11 ARE SUO MOTU IMPLEADED AS PER
ORDER DATED 24.11.2022 IN WP.15120/2019 BY NSKJ
AND DBCJ)

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



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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]

17. HINDUSTAN UNILEVER LIMITED,
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER
AND MANAGING DIRECTOR, D1 L0, HINDUSTAN
UNILEVER LIMITED, UNILEVER HOUSE, BD SAWANT
MARG, CHAKALA, ANDHERI EAST, MUMBAI - 400099.

18. NESTLE INDIA LTD.,
REPRESENTED BY THE CHAIRMAN AND MANAGING
DIRECTOR, NESTLE INDIA LTD., NESTLE HOUSE,
JACARANDA MARG M BLOCK, DLF CITY PHASE II,
NATIONAL HIGHWAYS 8, GURGAON - 122002, INDIA.

19. HATSUN AGRO PRODUCT LTD.,
REPRESENTED BY THE CHAIRMAN, HATSUNAGRO
PRODUCT LTD., PLOT NO.14, TNHB, TN HOUSING
BOARD A ROAD, SHOLINGANALLUR, CHENNAI -
600119.

20. BRITANNIA INDUSTRIES LIMITED,
REPRESENTED BY THE CHAIRMAN, BRITANNIA
INDUSTRIES LIMITED, 5/1A, HUNGERFORD STREET
KOLKATA - 700017, WEST BENGAL.



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21. PARLE AGRO PRIVATE LIMITED,
REPRESENTED BY THE CHAIRMAN AND MANAGING
DIRECTOR, PARLE AGRO PRIVATE LIMITED, WESTERN
EXPRESS HIGHWAY, SAHAR-CHAKALA ROAD,
PARSIWADA, ANDHERI (E), MUMBAI - 400 099.

22. CAVINKARE PVT LTD.,
REPRESENTED BY THE CHAIRMAN AND MANAGING
DIRECTOR, CAVINKARE PRIVATE LIMITED, NO.12,
POONTHAMALLEE ROAD, EKKATUTHANGAL,
CHENNAI - 600 032.

23. MONDELEZ INDIA FOODS PRIVATE LIMITED,
REPRESENTED BY THE PRESIDENT, MONDELEZ INDIA
FOODS PRIVATE LIMITED, MONDELEZ HOUSE, UNIT
NO.2001, 20th FLOOR, TOWER-3 (WING C), ONE
INTERNATIONAL CENTRE (FORMERLY INDIABULLS
FINANCE CENTRE), PAREL, MUMBAI, MAHARASHTRA,
INDIA - 400013.

24. PROCTER AND GAMBLE,
REPRESENTED BY THE MANAGING DIRECTOR,
PROCTER AND GAMBLE HYGIENE AND HEALTH CARE
LIMITED, INDIA P AND G PLAZA, CARDINAL GRACIAS
ROAD, CHAKALA, ANDHERI (E), MUMBAI – 400099.

25. PEPSICO INDIA,
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER,
PEPSICO INDIA AND SOUTH ASIA, JAGRUT KOTECHA,
PEPSICO INDIA HOLDINGS PRIVATE LIMITED, 5th
FLOOR, TOWER - A, INTELLION EDGE, SOUTHERN
PERIPHERY ROAD, SECTOR-72, GURUGRAM - 122101,
HARYANA, INDIA.



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26. ITC LIMITED,
REPRESENTED BY THE CHAIRMAN AND MANAGING
DIRECTOR, ITC LIMITED, VIRGINIA HOUSE, 37
JAWAHARLAL NEHRU ROAD, KOLKATA, WEST
BENGAL - 700071.

27. THE TAMIL NADU CO-OPERATIVE MILK
PRODUCERS FEDERATION LIMITED,
(AAVIN), AAVIN ILLAM, TCMPF LTD., 3A, PASUMPON
MUTHURAMALINGAR SALAI, NANDANAM, CHENNAI -
600 035.

28. THE SECRETARY TO GOVERNMENT,
MINISTRY OF HEALTH AND FAMILY WELFARE,
GOVERNMENT OF INDIA, NIRMAN BHAWAN, NEW
DELHI - 110011.

29. THE SECRETARY TO GOVERNMENT,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE, GOVERNMENT OF INDIA, INDIRA
PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI
- 110 003.

30. THE SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT OF TAMIL NADU, FORT ST. GEORGE,
CHENNAI - 600 009. (R17 TO R30 SUO MOTU
IMPLEADED VIDE ORDER DATED 21.11.2025 MADE IN
WP.15120/2019 BY NSKJ, DBCJ)

31. S.MURALIDHARAN,
SON OF MR.P.SIVALINGAM, F1.NO.40, R.S.SRIDHAR
STREET, KOTTUR, CHENNAI - 600085. (R31 IMPLEADED
VIDE ORDER DATED 19.12.2025 MADE IN
WMP.50171/2025 IN WP.15120/2019 BY NSKJ, DBCJ)



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32. FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA (FSSAI), REPRESENTED BY ITS CHAIRPERSON, 3rd AND 4th FLOOR, FDA BHAWAN, KOTLA ROAD NEAR BAL BHAWAN, NEW DELHI - 110 002. (R32 SUO MOTU IMPEADED VIDE ORDER DATED 06.02.2026 MADE IN WP.15120/2019 BY NSKJ, DBCJ)

..... Respondents

For Petitioner	:	Mr.T.V.Suresh Kumar M/s Genicon & Associates
For Respondent(s)	:	Dr.T.Seenivasan Special Government Pleader for RR1, 2, 7, 8, 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.S.Arun Kumar, Standing Counsel for R27 Mr.B.N.Suchindran, Standing Counsel for TNPCB for R16 Mr.P.T.Ramkumar, Standing Counsel for Southern Railway Mr.T.Mohan, Senior Counsel Mr.M.Santhanaraman, Advocate Mr.C.Mohan, Advocate and Mr.Rahul Balaji, Advocate
Amicus Curiae	:	

ORDER



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Water ATMs & RO Plants

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Pursuant to the ban on single use plastics, directions were given for providing alternatives to the tourists and other visitors in the Nilgris District and Kodaikanal.

2. With reference to the earlier order that was passed to furnish the details as to the manner in which the water kiosks are set up in Ooty and also with reference to setting up of purified water supply out of Parsons Valley reservoir by way of BARC UF technology, a status report is filed today. The manner in which the kiosks works are detailed. It is seen that the self help groups run the kiosks and the private concerns are engaged to supply water in the concerned kiosks and in return, the advertisement of the private concern is made and the purchase of water is also made from them at a lower rate and is sold to the public. The details of the sale including the 20 litre cans, 300 ml units and 750 ml units are furnished as Annexure 2. It is also seen that 300 ml units and 750 ml units are only of glass bottles.

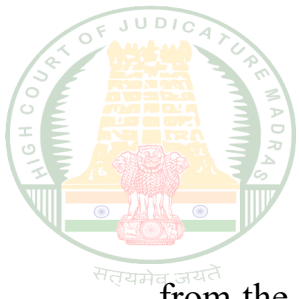
3. With reference to the adopting of BARC UF technology, a detailed



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report is filed as Annexure 3, whereby, it is stated that under the supervision of Mr.J.Daniel Chellaiah, Senior Nuclear Scientist, Chennai, a joint inspection was conducted by the authorities and it was found that BARC's versatile compact cost-effective UF purifiers do not require electricity for its operation and do not waste even a drop of precious drinking water unlike commercial RO plants during purification. It was also found that it was user friendly and with ordinary Rs.10/- sponge even laymen/women will be able to clean and maintain it. It was further found that BARC UF technology removes suspended solids and microbial load very efficiently and effectively.

4. In view thereof, it is proposed to first implement the scheme in 120 household in Ward No.13 at State Bank Colony and Flower Cottage areas where water pressure is good enough under gravity flow and it is stated that the expert report in this regard is awaited by two weeks and depending on the report, the project will be implemented in the area. The same can continue, however, we had also noted that technology can be considered for roping in for supply to the tourists and general public visiting the public spots as well as the tourists places. It is recorded in the report that the Parsons Valley reservoir is situated 18 kms away



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from the Ooty town, but, however, it is brought to the notice of this Court the said water which is made as a piped supply and even in the public places such as botanical garden, already supply of Parsons Valley water is available. We had only indicated that the concerned senior scientist can be consulted whether as to any specialized larger size plant can be developed for installation in the public places so that even the environmental degradation arising out of supplying water in bottles and also in plastic can can also be further reduced and the general public should be provided safe drinking water free of cost.

5. Therefore, while proceeding with the implementation of the scheme to the household as provided above, let further consultations be made with the concerned authorities including the Senior Nuclear Scientist, Chennai with reference to the above idea of building a large unit for public use.

6. It is also brought to our notice that while the ban is being enforced as against the 1 litre, ½ litre and 2 litres PET bottles, suddenly, now, some of the vendors started selling water in Tetra packs. It goes without saying that ban order that is in force would apply in all force to poly coated/multi layered coated packs



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also. As a matter of fact, the said packs is even more dangerous than the PET bottles. A reading of the Government Order as well as the earlier order would clearly leave no doubt that these multi layered coated packs cannot also be used for supply of water. Therefore, there is no question of using the same. As far as water is concerned, it is made clear that the authorities shall enforce the ban with reference to the said packs also. In case of any violation, the authorities shall forthwith seize those packs and also seal the premises and take action as if it is violation as taken as against the violators of PET bottles.

7. With reference to the Kodaikanal also, a status report is filed mentioning the places in which water ATMs have been installed and the other facilities that are made. We make it clear that a similar attempt as the Udthagamandalam Municipality, who implemented the BARC UF scheme can also be made with reference to the Kodaikanal Municipality also. The water quality there also can be tested in the presence of the appropriate experts and the BARC UF scheme can be introduced in the Kodaikanal also. Let the efforts in this regard shall also be taken as expeditiously as possible. In the status report filed on behalf of the Kodaikanal Municipality, the other details with reference to the installation of Automatic Number Plate Recognition is also mentioned and it is stated that the



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required materials are received in Batlagundu and Kammakkapatti checkpoint boom barriers and it is stated the installation was completed. Mapping of ANPR cameras is also effected and it is fully operational, the same is recorded. The E-pass details that are given are also mentioned in the status report, the same is noted.

8. With reference to the milk, today, Mr.S.Arun Kumar, learned standing counsel for the 27th respondent/Tamil Nadu Cooperative Milk Producers' Federation Limited (TCMPF)/Aavin would make their submissions on the written instructions. It is stated that the method used by the Bangalore Urban, Rural and Ramanagara District Co-operative Milk Producers' Union Limited, Karnataka, whereby, the biodegradable packaging is being made up of corn starch based biodegradable film is being used as alternatives to plastic sachets for milk packaging. It is also stated that pursuant to the directions of National Green Tribunal, a proposal was also made by a private concern namely M/s.Eco Coating System for using oil coated paper as a sustainable packaging material for milk and diary products. It is stated that that the said product is fully compostable. They have already set up a pilot project for using the same. With reference to the corn starch based biodegradable film, they are proposing pilot project at Madhavaram



9. Be that as it may, it can be seen that throughout the State of Tamil Nadu, Aavin sells more than 30 lakhs liters of milk per day which means that more than 60 lakh sachets are on the environment. Besides the sachets also contains micro plastics. Under the circumstances, the Aavin is directed to file a detailed status report with reference to the details of the alternatives now it is exploring and also as to why it cannot go back to the original bottle system urgently at the Nilgris and other western ghats area. In this regard, already on behalf of Aavin, the Deputy General Manager, Tamil Nadu Cooperative Milk Producers Federation Limited had reported that they had decided to undertake the pilot project for supply of Aavin Milk in bottles and steps are being taken to identify the persons from whom the bottles can be sourced. It was also stated that they proposed to float tender in this regard. Since, it is specifically mentioned before a Division Bench of this Court in Rev.App.No.89 of 2019 as early as on 10.01.2024 that in the Nilgris and in Kannyakumari, first they will introduce and the status of the same can also mentioned in the status report. Aavin is also directed to reconsider the use of bottles and reviving of the milk booths which were only the conventional way of



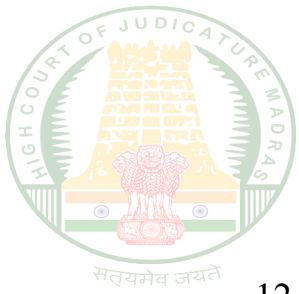
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supplying milks where people brought bottles and vessels on their own and collect the milk for their respective homes that would solve:-

a. the contaminants such as micro plastics that are contained in the plastics and the contaminants flowing from the sealing and other mechanisms also ensuring purity and freshness of milk, therefore, the detailed status report may be filed in this regard.

10. Call on 13.03.2026.

11. Today, when the matter came up for hearing, it is brought to our notice that when steps are being taken for the ban of single use plastic which is being undertaken in all the western ghats area, the situation is also worse in respect of some of the hill areas which fall within the Eastern ghats, the areas including the Yercaud, yelagiri, servarayan hills etc., Therefore it is submitted that it is just and necessary to implement the directions that are given with reference to the western ghats to the eastern ghats also. In this regard, the learned Special Government Pleader is requested to get instructions.



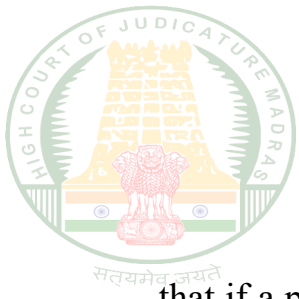
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12. Call on 13.03.2026

Carrying Capacity/E-Pass

13. With reference to the Carrying Capacity/E-Pass, it is seen that both the institutions have submitted their detailed interim report. On a cursory perusal of the recommendations, it can be seen that even though this Court had fixed the vehicles for both the Nigiris and Kodaikanal, both reports suggest reduction of already permitted limit. It is stated that the reports are under consideration of the Government. The report also contains so many other recommendation for wholesome conservation of one biosphere. Let the Government come up with order based on the recommendations. Until then, since the present summer vacations are approaching, there will be huge influx of the tourists in both these places, let the directions already issued by this Court be implemented without any lapses in a strict manner. It is made clear that throughout the entire peak season, the Court will be monitoring the implementation. Both the District Collectors of the Nilgiris as well as Dindigul shall make special arrangements so that the directions are meticulously complied with. It must be seen that the number of vehicles entering do not exceed the carrying capacity as ordered by this Court. They must also ensure



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that if a particular vehicle applies for carrying capacity for 'n' number of days, then that one pass should be taken as filled up for 'n' number of days. For Exampe. On first March, if 6000 vehicles are granted E-pass, out of which, 4000 vehicles are coming back on the same day and for 2000 vehicles the pass is issued for 2 days, then, for the next day, only the remaining 4000 passes alone should be issued and not once again 6000 passes. The intention is to fix the maximum number of vehicles that biosphere can withstand. Therefore, due modification in the software shall be accordingly made and it should be ensured that not more than the maximum permissible number of vehicle are there in these stations on a particular day. All the entry points and the checkposts should be properly maintained 24x7 and the ANPR cameras details should be properly checked and followed by the officials because the entry is also going to be the further data for the respective experts to come up with the final recommendations. It should also be ensured that the banned plastic items checks are also to be carried out in these entry points and each and every items which are found to be in possession of visitors/tourists be removed at the entry point itself. Let every arrangements be made so that the present peak season be a memorable experience for the tourists and also the environment is not damaged beyond repair and the fundamental right to exist of the



locals is being maintained.

14. As far as the checking of the plastic entry, the respondent shall ensure that the original checkpoints existed near the Forest Depot in Kothagiri Road to be continued and thorough check should be made on there itself. Otherwise, the people will carry the plastic throughout the forests till the Kunjapanai checkpoint and dump all the plastic once again in the forest.

15. Call on 27.03.2026.

E-pass for Valparai

16. With reference to the E-pass for Valparai is concerned, it is seen that though the E-pass system has been implemented, the outer cap has not been fixed by this Court initially. Now, data is also there and the learned amici curiae has also filed their report. The learned Special Government Pleader is directed to get instructions in this regard as to the ground conditions and the available facilities so that as an interim measure, outer limit can be fixed subject to further study by the experts.



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17. Call on 27.02.2026.

Vertical cutting

18. With reference to the vertical cutting, let the respondent file a status report with regard to the ongoing projects and date of completion etc.,

19. Call on 13.03.2026.

(N.S.K., J.) (D.B.C., J.)
20..02..2026

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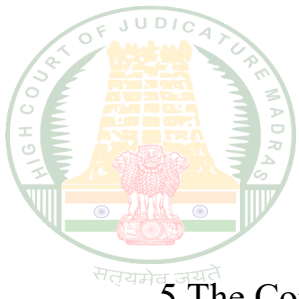
To

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.



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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.

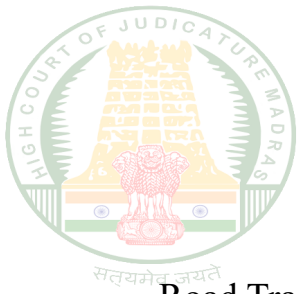
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Transports Department, Secretariat,
Fort St. George, Chennai - 600009.

11.The Transport Commissioner,
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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.

14.The Secretary To The Ministry Of



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Parliament Street, New Delhi.110 001.

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

16. THE TAMIL NADU CO-OPERATIVE MILK PRODUCERS FEDERATION
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(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
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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. (R17 TO R30 SUO
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