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W.P.No.15120 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2026

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.16680 of 2026 & W.M.P.No.8422 of 2024

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 32 others

... Respondent(s)

*[R33 impleaded vide this order dated 10.07.2026
in W.M.P.No.16680 of 2026 in WP No.15120 of 2019]*

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)



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W.M.P.No.16680 of 2026

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PET Packaging Association for
Clean Environment (PACE)
Through its Authorised Representative
Pankaj Uppal
Office at 313, New Delhi House,
27, Barakhamba Road,
New Delhi – 110 001.

... Petitioner (s)

Vs

1.G.Subramania Koushik and 32 others

... Respondent(s)

W.M.P.No.8422 of 2024

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.P.No.15120 of 2019

For Petitioner :

Mr.T.V.Suresh Kumar
M/s. Genicon & Associates;
Mr.R.Krishnaswamy in W.M.P.No.2806 of 2026
Mr.Sathish Parasaran
Senior Counsel
for the petitioner in W.M.P.No.16680 of 2026

For Respondent(s):

Mr.P.V.Balasubramaniam,
Additional Advocate General,
assisted by Mr.K.Surendar,
Government Pleader and
Mr.G.Abraham Prabhu, Government Counsel
for RR1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14 and 30



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Mrs.A.Sri Jeyanthi for R4

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

Mr.V.Chandrasekaran, Senior Panel Counsel
for RR15, 28, 29, 32

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

Mr.Madhan Babu for R17

Mr.R.S.Diwaagar, M/s.Vivrti Law for R18 and R20

Mr.G.Kalyan Jhabakh
for M/s.Surana and Surana for R19

Mr.G.Prabhu for R21

Mr.R.Sathish Kumar for R22

Ms.Vanitha Bharghava for R23

Mr.Thriyambak J. Kannan for R24

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

Mr.Arun C.Mohan for R26

Mr.S.Arunkumar for R27

R31 - Mr.S.Muralidharan (P-I-P)

Mr.Vijay Narayan,
Advocate General
assisted by Mr.K.Sathishkumar,
Standing Counsel for TASMACH

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

W.M.P. No.16680 of 2026 :

W.M.P.No.16680 of 2026 has been filed by PET Packaging Association for Clean Environment (PACE) to implead themselves as respondent in W.P.No.15120 of 2019.

2.After considering the averments made in the affidavit filed in support of the application and the submissions made by the learned Senior Counsel for the petitioner Association, we are of the view that the petitioner Association can be permitted to be impleaded as a party in the above writ petition in W.P.No.15120 of 2019. As such, **W.M.P.No.16680 of 2026 stands ordered.** It is well open to the petitioner Association to place on record any affidavit and other materials to assist the Court.

Ban of Single Use Plastic Products/Pet Bottles :

3.Learned counsel appearing for AAVIN had placed on record a Status Report. Para No.9 of the report states that, orders have been placed for purchase of the machines and the same is under transit and it will be installed. It is further stated that, once the machine is installed in a particular area, already the agents are informed that distribution in that particular area through packets will also be



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stopped. It is also further submitted that pilot will commission before the end of this month. The same is taken on record. Let further status report be filed after installation and carrying out the pilot.

4.Call on 28.08.2026.

FSSAI :

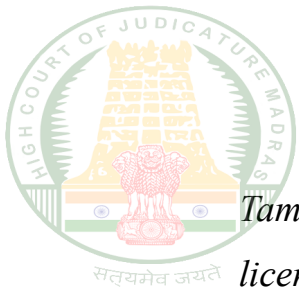
5.With reference to FSSAI, for filing report of the Experts, Mr.V.Chandrasekaran, learned Senior Panel Counsel, would seek two weeks' time.

6.In view thereof, call on 31.07.2026.

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

7.With reference to Buy Back Scheme, the learned Advocate General filed a detailed status report and the details of the new scheme that is proposed is contained in Para Nos.4 to 7 of the said report, which is extracted hereunder for ready reference :

“4.It is respectfully submitted that, in furtherance of the above proposal, TASMAC, vide Letter Rc.No.R3/8849/2021 dated 18.06.2026, requested the Commissioner of Prohibition and Excise to initiate the necessary amendments to the relevant provisions of the



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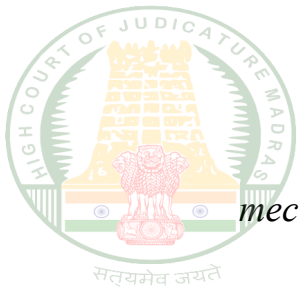
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Tamil Nadu Prohibition Act, the Rules framed thereunder, and the licence conditions applicable to IMFS and Beer manufacturers and suppliers. TASMAC also informed that the Commissioner of Commercial Taxes has submitted a proposal to the Government for levy of an additional cess of ₹10/- as part of the MRP and that the proposal for consequential amendments to the VAT Act/Rules is under the consideration of the Government.

5.It is respectfully submitted that the Associations of IMFS and Beer Manufacturers have, in principle, agreed to undertake the responsibility for the collection of empty liquor bottles by deploying their personnel using the technology prescribed by TASMAC.

6.It is further submitted that the Commissioner of Prohibition and Excise, vide Letter No. P&E 5(2)/3784/2026 dated 19.06.2026, has submitted a proposal to the Government seeking amendments to the Tamil Nadu Indian-made Foreign Spirits (Manufacture) Rules, 1981 and the Tamil Nadu Brewery Rules, 2006, by inserting provisions relating to the ownership, collection, recycling and environmentally sound disposal of empty liquor bottles.

7.It is respectfully submitted that the revised mechanism, whereby the refundable deposit of ₹10/- is proposed to be included in the Maximum Retail Price (MRP) of each liquor bottle instead of being collected separately from the consumers, and the responsibility for the collection, transportation, recycling and environmentally sound disposal of empty liquor bottles is proposed to be assigned to the respective manufacturers through a QR code-based tracking



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mechanism.”

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8.It is also further submitted that the refund of Rs.10/- will be duly done by them to the purchaser or any other person who is bringing it back and handing it over to the TASMAL. It is further submitted that the manufacturers will have their own person who will be manning the job. In view thereof, let the new Scheme be implemented as proposed.

9.As far as the new proposal is concerned, the learned *Amici Curiae* can also, by way of memo, give their suggestions, if any, which shall also be considered by the TASMAL while framing the regular Standard Operating Procedure (SOP) and Rules.

10.The learned Advocate General would also submit that this new process is likely to be implemented as soon as possible, preferably within a period of six weeks.

11.Call on 11.09.2026 for filing further status report.

12.Meanwhile, the submission made that, until new scheme replaces the existing scheme, bottles will be continued to be collected, is taken on record.



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E-pass and Traffic Arrangements :

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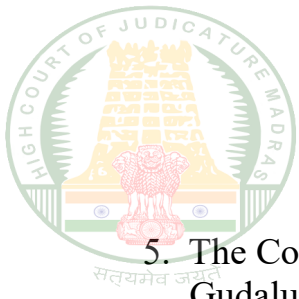
13. With reference to e-pass, call on 31.07.2026. Status report relating to the integration of AMPR Cameras shall be filed on that day. The learned *Amici Curiae* to brief the learned Advocate General with reference to the same.

[N.S.K.J.] [D.B.C.J.]
10.07.2026

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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 – 643 001.
3. The Commissioner,
Udhagamandalam Municipality,
Ooty,
The Nilgiris District.
4. The Commissioner,
Coonoor Municipality,
Coonoor,
The Nilgiris District.



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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 – 643 001.
9. The Commissioner,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.
10. The Principal Secretary to Government,
Transports Department,
Secretariat,
Fort St. George,
Chennai – 600 009.
11. The Transport Commissioner,
Government of Tamil Nadu,
Commissionerate of Transport and Road Safety,
Ezhilagam, PWD Estate,
Chepauk, Triplicane, Chennai – 600 005.



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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 Road Transport and Highways,
Transport Bhawan, No.1, Parliament Street, New Delhi – 110 001.
15. Tamil Nadu Pollution Control Board,
Represented by its Chairman,
No.76, Mount Salai, Guindy, Chennai – 600 032.
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 – 110 003.
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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20. The Chairperson,
Food Safety and Standards Authority of India (FSSAI)
3rd and 4th Floor, FDA Bhawan,
Kotla Road near Bal Bhawan,
New Delhi – 110 002.



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

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