



W.P.Nos.37078 & 35721 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.Nos.37078 & 35721 of 2025

and

W.M.P.Nos.41490, 41492, 39979, 39981 & 39984 of 2025

M.Thangavel  
S/o. Late Muthusamy,  
No.2/90, Ayyagoundampalayam,  
Varagurampatti-637 214,  
Tiruchengode Taluk, Namakkal District.

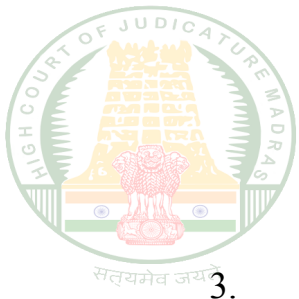
... Petitioner in W.P.No.37078 of 2025

K.Padmanaban  
S/o. Kandasamy, L302/472,  
Kootampalli colony, Tiruchengode,  
Namakkal District – 637214.

... Petitioner in W.P.No.35721 of 2025

Vs

1. The State of Tamil Nadu  
Rep.by its Principal Secretary to Government,  
Municipal Administration and  
Water Supply Department,  
Secretariat, Chennai – 600 006.
2. The Managing Director,  
Directorate of Municipal Administration,  
75, Urban Administrative Building,  
Santhome High Road,  
Raja Annamalaipuram,  
Chennai – 600 028.



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3. The District Collector,  
Namakkal District,  
Namakkal – 637 003.
4. The Tiruchengode Municipality,  
Rep.by its Commissioner,  
Tiruchengode – 637 211,  
Namakkal District.
5. The Executive Engineer,  
Water Development Department,  
Sarabanga Basin Division,  
Salem – 636 007.
6. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board (TNPCB),  
Namakkal District.

.. Respondents  
in both WPs.

[R6 *suo motu* impleaded as per order of this  
Court dated 23.10.2025 in W.P.No.37078 of 2025]

Prayer in W.P.No.37078 of 2025: Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Na.Ka. 6843/ 2025/ L2 dated 19.08.2025 issued by the 3rd respondent, quash the same and consequently forbear the respondents from constructing Sewage Treatment Plant (STP) in T.S.No.130/1, Tiruchengode Town, Namakkal District.

Prayer in W.P.No.35721 of 2025: Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of



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Certiorarified Mandamus calling for the records relating to the impugned order in Na Ka no. 6843/202/AL2 dated 19.08.2025 issued by the respondent no. 3 and quash the same and consequently forbear the respondents from constructing sewage treatment plant inside the Koottapalli Lake corresponding channels water spread areas etc. comprised in T.S.No. 130/1 in ward F, block 14, Tiruchengode Town, Namakkal District.

**In both WPs.**

For Petitioner : Mr. N.Manokaran  
(WP.No.37078/2025)

For Petitioner : Mr. Bharanidharan S  
(WP.No.35721/2025)

For Respondents : Dr.T.Seenivasan  
Special Government Pleader  
for R1, R2 and R4  
Mr.L.S.M.Hasan Faizal  
Additional Government Pleader  
for R3 and R5

Mr.B.N.Suchindran,  
(W.P.No.37078/2025)

Mr.V.Gunasekar  
(W.P.No.35721/2025)

Standing Counsel for TNPCB  
for R6



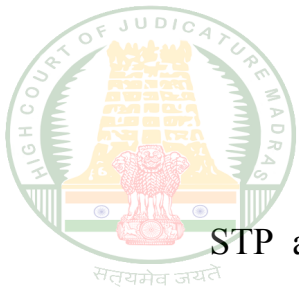
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## **COMMON ORDER**

**WEB COPY** Both these writ petitions relate to the construction of a Sewage Treatment Plant (STP) in T.S.No.130/1, Thiruchengodu town, Namakkal District. As they relate to the same issue, they were clubbed together and heard.

2. By an order dated 23-10-2025, I impleaded the District Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Namakkal District, as a party. He was made a party, since, in terms of Rule 392(2) of the Tamil Nadu Urban Local Bodies Rules, 2023, it is essential that the municipality's site identified for collection, transportation, storing, processing and disposal of solid waste generated in the municipality should comply with the TNPCB norms.

3. This Court on all earlier occasions had directed the District Collector of Namakkal to appoint a committee and submit a report. That committee too had found that the area earlier identified was close to a watercourse and hence, unfit to be used for construction of the STP. Taking note of all these facts, I directed the newly impleaded 6<sup>th</sup> respondent to inspect the area presently identified for construction of



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STP and submit a report as to whether it is in compliance with the TNPCB norms. Prior to the inspection, I directed TNPCB to issue notice to the petitioners, as well as to other persons, who will be interested in the same, including the officials of the Thiruchengode municipality.

4. The District Environmental Engineer has inspected the same and has come up with his report, which is extracted hereunder:

*x. Tamil Nadu Pollution Control Board has framed siting criteria for establishment of STP vide Circular Memo No.T16/25323/STP/Orange/2007-4, dated 23.10.2008 and the finding of the siting criteria is tabled as follows:*

| <b>Sl. No.</b> | <b>TNPCB Norms for establishing STP</b>                                                                                                                                           | <b>Findings at present site</b>                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.             | <i>The STP site should be at least 250 meter away from any lake or pond preferably in the downstream side of lake or pond so that the sewage shall not reach the water bodies</i> | <i>The proposed STP site TSLR No.130/1 is located at about 200 from upstream side and 110m from downstream side.<br/><br/>The proposed STP site TSLR No.130/1 is located at about 70 from upstream side and adjacent from downstream side Kootapalli Odai.<br/><br/>During the inspection it was observed that sewage generated from Tiruchengode Municipality is flowing in the Kootapalli canal which is confluences</i> |



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| Sl. No. | TNPCB Norms for establishing STP                                                                                                                                                                                                    | Findings at present site                                                                                                                                                                        |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |                                                                                                                                                                                                                                     | in the Yemapalli lake.                                                                                                                                                                          |
| 2.      | The STP site should be located more than at least 250 meter away from river or stream and shall ensure that the treated/untreated sewage should not reach the above water resources.                                                | No river is located 250m from the proposed site. But one Kootapalli odai is situated at about 70 from upstream side and adjacent from downstream side from the proposed STP site TSLR No.130/1. |
| 3.      | The STP site should be located at least 500 meters away from a notified habituated area and zone of 100 meters around STP site boundary should be declared as no development zone so that green belt can be developed in that area. | The Kootapalli Housing Board Colony is located around 75 from upstream side and 40m from downstream side from the proposed STP site TSLR No.130/1.                                              |
| 4.      | The STP site should be at least 500 meters away from a                                                                                                                                                                              | Kootapalli Municipal Middle School and the Kootapalli Municipal Park are located at about 200 meters, a small temple (Kamatchiamman temple) is                                                  |



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| Sl. No. | TNPCB Norms for establishing STP                                                                                                                                                                      | Findings at present site                                                                                                                                                                                                                                                         |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         | public utility area such as park, temple, educational institution etc.,                                                                                                                               | located at about 80 metres and Mosque is located at about 300m from upstream side and 210m from downstream side from the proposed STP site TSLR No.130/1.                                                                                                                        |
| 5.      | The site of STP should be selected on dry lands and the treated sewage shall be utilised on land for irrigation.                                                                                      | The proposed STP site TSLR No.130/1 comes under 'Vattatchiyar Tharisu' as per Revenue Records and classified as dry land.<br><br>During the inspection the Municipal Authority has stated that the treated sewage water will be utilised for irrigation and industrial purposes. |
| 6.      | The local body shall also ensure that the land availability and consent from the land owners for the disposal of treated sewage, which should be mentioned at the time of application for NOC itself. | The Tiruchengode municipality has not furnished any proposal/NOC in respect of land availability and consent from the land owners for the disposal of treated sewage.                                                                                                            |
| 7.      | In case of disposal of treated sewage into marine water bodies,                                                                                                                                       | Not Applicable.                                                                                                                                                                                                                                                                  |



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| Sl. No. | TNPCB Norms for establishing STP                                                                                                                                                                                                                           | Findings at present site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         | the local body shall obtain CRZ clearance and this should be submitted along with NOC application.                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8.      | The local body shall obtain appropriate land use certificate from DTCP for STP site.                                                                                                                                                                       | The municipal authority has not furnished Land use certificate from DTCP for the proposed site at TSLR: 130/1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 9.      | The local body shall consider the treatment technology while selecting the site in respect of extent of land. Advanced treatment technology will require less footprint area in order to meet the inland surface water standards prescribed of the TNPCCB. | The Tiruchengode municipality has not furnished STP layout plan, Detailed Project Report (DPR) with area earmarked for the establishment of proposed STP in TS.No.130/1, Kootapalli, Tiruchengode. Hence the commissioner, Tiruchengode municipality it is requested to furnish the said details during the inspection.<br><br>The Tiruchengode municipality has not furnished adequacy report with design and dimensional calculation for the establishment of the proposed STP T.S.No.230/1. Hence the commissioner, Tiruchengode municipality it is requested to furnish the said details during the inspection. |
| 10.     | A preliminary assessment of public/nearby                                                                                                                                                                                                                  | The local residents and members of Thulirum Kootapalli Nala Sangam has opposed for the establishment of the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



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| <b>Sl. No.</b> | <b>TNPCB Norms for establishing STP</b>                                       | <b>Findings at present site</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | <i>resident's opinion neighbouring the location of STP site is essential.</i> | <p><i>proposed STP in TS.No.130/1 during the inspection since the possibility of water pollution and odour nuisance in the area due to the establishment of proposed STP.</i></p> <p><i>The petitioner Thiru.Thangavel has furnished a letter dated 30.10.2025 received in this office on 03.11.2025 stating the followings (Copy submitted):</i></p> <p><i>"If this Sewage Treatment Plant is establishing here, the water bodies will totally pollute the ground water and it is not under the norms of pollution Control board Criteria. So I request you not to give permission for the above STP Project at this location. To establish Sewage Treatment Plant, Tiruchengode Municipality should choose the government land/Purchase the land from a private land owner which suits the PCB norms. "</i></p> |

In conclusion, the Joint Chief Environmental Engineer, TNPCB, Salem, who had inspected the area, has reported that the proposed site at T.S. No. 130/1, Ward F, Block 14, Thiruchengode Town and Taluk, Namakkal District, identified by the Thiruchengode municipality for the purpose of establishing the STP, does not comply with the site



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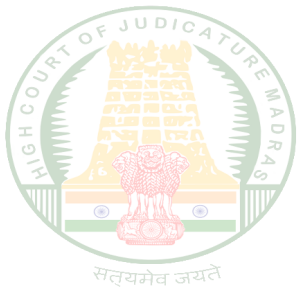
requirements fixed by the board. Consequently, the writ petitions would

have to succeed and it is so ordered.

5. This does not put an end to the litigation. Funds have been allotted by the Central Government under the Swachh Bharat Scheme. The funds would lapse very soon. In such an eventuality, it will not be of any use, either to the petitioners, or other residents of Thiruchengodu municipality, or to the municipality itself.

6. Mr. N. Manokaran and Mr. S. Bharanidharan state that there are other locations near and around Thiruchengodu municipality, which are fit enough to be used for the purpose of establishing STP.

7. Hence, in the light of the said statement, there shall be a direction to the District Collector, Namakkal, and to the Thiruchengodu municipality to identify suitable locations and inform the District Environmental Engineer, Namakkal District. The said Environmental Engineer shall cause inspection on the areas so identified, immediately on being so informed by the Revenue Department and by the municipal authority as to whether they comply with the requirements of TNPCB. Three weeks time is granted to carry out the said exercise.



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8. With the above observations, the writ petitions stand ordered.

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No costs. Consequently, connected miscellaneous petitions are closed.

Post the matter on **26.11.2025 for reporting compliance.**

**06.11.2025**

Index : Yes/No

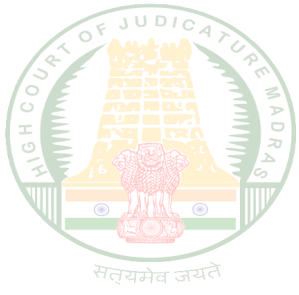
Internet : Yes/No

Neutral Citation : Yes/No

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To

1. The Principal Secretary to Government,  
State of Tamil Nadu  
Municipal Administration and  
Water Supply Department,  
Secretariat, Chennai – 600 006.
2. The Managing Director,  
Directorate of Municipal Administration,  
75, Urban Administrative Building,  
Santhome High Road,  
Raja Annamalaipuram,  
Chennai – 600 028.
3. The District Collector,  
Namakkal District,  
Namakkal – 637 003.



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**V. LAKSHMINARAYANAN, J.**

kj

4. The Commissioner,  
Tiruchengode Municipality,  
Tiruchengode – 637 211,  
Namakkal District.
5. The Executive Engineer,  
Water Development Department,  
Sarabanga Basin Division,  
Salem – 636 007.
6. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board (TNPCB),  
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