

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Appeal Nos.51 to 52 of 2017 (SZ)

Appeal No.51 of 2017

Appellant(s)

M/s. Manali Petrochemicals Ltd – Plant - I
Rep. by its Whole Time Director
G. Balasubramanian, Manali

Respondents

1. The Central Pollution Control Board
MoEF & CC, rep. by its Chairman
New Delhi

Appeal No.52 of 2017

M/s. Manali Petrochemicals Ltd – Plant - II
Rep. by its Whole Time Director
G. Balasubramanian, Manali

2. The Regional Director
(Zonal Office (South))
The Central Pollution Control Board
Bengaluru

3. The Tamil Nadu Pollution Control
Board, rep. by its Chairman
Chennai

4. The Tamil Nadu Generation and
Distribution Corpn, rep. by its
Managing Director, Chennai

Counsel appearing for applicant

M/s. AL. Ganthimathi
L. Palanimuthu

Counsel appearing for respondent/s

Mr. D. S. Ekambaram for R1 & R2
Mrs. Yasmeen Ali for R3
Mr. Gnanasekaran for R4

Note of the Registry	Orders of the Tribunal
Item No.5&6	<p>Date: 26th May, 2017</p> <p>We have heard Mr. AR.L. Sundaresan, learned Senior Counsel appearing for the appellants. Admit. Issue notice to the respondents returnable by 7.7.2017. Private notice is permitted.</p> <p>Mr. D.S. Ekambaram takes notice for the respondents 1 and 2. Mrs. Yasmeen Ali takes notice for the 3rd</p>

respondent. Mr. Gnanasekaran takes notice for the 4th respondent.

The learned Senior Counsel appearing for the appellants undertakes to implead the applicant in Application No.19 of 2013.

It is the case of the appellant that in Application No.19 of 2013 the issue relating to the functioning of the appellant units is pending adjudication and in fact the Central Pollution Control Board has made a joint inspection and the inspection report also came to be filed and the matter stood adjourned to 7.7.2017. However, in the mean time, the impugned orders of closing down the appellant units have been passed, invoking the powers under Section 5 of the Environment (Protection) Act, 1986.

Taking note of the fact that this Tribunal is seized of the matter relating to the functioning of the appellant units and the matter is pending adjudication, as stated above, we are of the considered view that the Central Pollution Control Board, in all fairness, should have waited till the next date of hearing. It is informed by the learned Senior Counsel appearing for the appellant that as on date the

units are functioning.

In view of the same, there shall be an order of *status quo* as on today till the next date of hearing.

Post the appeals along with Application No.19 of 2013 on 7.7.2017.

....., JM

(Justice Dr. P. Jyothimani)

.....EM

(Shri P.S. Rao)

