

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**Appeal No. 32 of 2015 (SZ)**

**IN THE MATTER OF:**

**Vadamugam Kangayempalayam Vs. MoEF**

**CORAM : HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER**

**Present: Appellant: Mr. Yogeshwaran. A, Adv.  
Mr. Vishwendra Verma, Adv. for MoEF**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p><b>Item No. 01</b></p> <p><b>June 19, 2015 A</b></p>	<p>Heard. Perused.</p> <p>Environment Clearance granted to Respondent No. 4 – M/s IG3 Infra Ltd. for setting thermal power Station in the village Vadamugam Kangeyampadayam, Taluk Avinashi, District Tiruppur, which falls in SEZ area, finds challenge in the present Appeal. On limitation, the Appellants submit that the present Appeal is filed within 30 days from the date of receipt of the EC from TNPCB under RTI Act, 2005 and the EC was not communicated to them in any manner known to law and was not published on the website of the Authority in accordance with law.</p> <p>Issue Notice to the Respondent by Registered post/ acknowledgement due and Dasti as well.</p> <p>Notice made returnable on 23<sup>rd</sup> July, 2015.</p> <p>Respondent No. 1 – MoEF waives service. Copy of the Appeal with annexure thereto shall be furnished to the learned counsel appearing for MoEF.</p> <p>At this stage learned counsel appearing for the Appellants submits that the Respondent No. 4 herein and the Respondent No. 3 in Application No. 149 of 2013 disposed of by Southern Bench had given undertaking at the time of the disposal of the application that the</p>

construction activity of the thermal power plant would not be started until necessary permission qua establishing the said thermal power plant at the said site is granted by the TNPCB.

Learned counsel appearing for the Appellant invited our attention to the RTI query made to the TNPCB in respect of grant of the consent to establish the thermal power plant in question and response thereto vide page no. 30 of the Additional compilation. It reveals that the Unit had applied for grant of consent to establish the plant but consent has not yet been granted vide communication dated 10<sup>th</sup> June, 2015. There are apprehensions that the construction work would start despite the requisite consent being not granted. We therefore issue interim injunction restraining the Respondent No. 4 from proceeding with the construction work at the site in question without obtaining the consent from TNPCB till next date.

Let the records be sent back to the Southern Zonal Bench.

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D. K. Agrawal)