

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)

Appeal No.138/2018
(Earlier Appeal No.48/2013) (SZ)
WITH
Appeal No.139/2018
(Earlier Appeal No.71/2014) (SZ)
WITH
Appeal No.140/2018
(Earlier Appeal No.72/2014) (SZ)

S. Ali Hussain
Union of India & Ors.
S. Ali Hussain
Union of India & Ors.
Smt. K. Ananthi
Union of India & Ors.

Versus
WITH
Versus
WITH
Versus

Appellant(s)
Respondent(s)
Appellant(s)
Respondent(s)
Appellant(s)
Respondent(s)

Date of hearing: 19.11.2018

CORAM : HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Appellant(s): Ms. Meera Gopal, Advocate
Mr. N S Tanvi, Advocate in Appeal No. 140/2018
For Respondent (s): Mr. Kamlesh Kumar, Advocate State of Tamil Nadu
Mr. C. Kasirajan, Advocate for R-2
Mr. G.M. Syed Nurullah Sheriff, Sr. standing counsel
(MoEF &CC)
Mr. M. Santhanaraman, Advocate

ORDER

1. These appeals have been filed assailing the Environmental Clearance dated 17.03.2013 granted by the Ministry of Environment, Forest and Climate Change in favour of respondent no. 3, M/s Sindya Power Generated Company, which name later has been changed to M/s Vishwambhara Power Pvt. Ltd.
2. These cases were listed for final hearing today. However, it is submitted on behalf of the learned counsel for Ministry of Environment, Forest and Climate Change, Mr. G.M. Syed Nurullah Sheriff and Ms. Meera Gopal, learned counsel for the appellants that

the respondent no. 3 by a written communication dated 22.08.2018 addressed to the Ministry of Environment, Forest and Climate Change, has conveyed their decision not to carry on with the project and withdraws from it.

3. A memo filed by the said respondent at the National Green Tribunal, Chennai Zonal Bench dated 08.03.2018, has been placed before us whereby in paragraphs 2 and 3, it has been averred as follows:

“2. The 3rd Respondent has taken a decision to not to set up the Coal Based Thermal Power Plant at Perunthottam and Agaraperunthottam villages. Consequently, the 3rd Respondent has sent a letter dated 22.02.2018 to the Ministry of Environment and Forests (‘MoEF’) informing the MoEF of its said decision and further that they would not be using the environmental clearance’s given for the Coal Bases Thermal Power Plant. A copy of the letter dated 22.02.2018 is annexed as Annexure A to this memo.

3. In view of the aforesaid letter dated 22.02.2018 submitted by the 3rd Respondent, who was the project proponent, it is submitted that nothing survives in the aforementioned appeals and that appropriate Orders may be passed by the Tribunal.”

4. For the aforesaid reasons, these appeals have now been rendered infructuous and nothing survives for consideration.
5. The appeals thus stand disposed of with no order as to cost.

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

November 19, 2018

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