

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JANUARY, 2017

PRESENT

THE HON'BLE MR. SUBHRO KAMAL MUKHERJEE,
CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE BUDIHAL R.B.

WRIT PETITION NOS.927 TO 931 OF 2017 AND
WRIT PETITION NOS.1322 - 1323 OF 2017 (GM-POL)

BETWEEN :

1. SRI.S.SELVARAJ
AGED 62 YEARS
S/O SRI. B.SUBRAMANYAM
R/AT NO.218, RAMACHANDRAPPA LAYOUT
KARIYANAPALYA
ST. THOMAS TOWN
BENGALURU - 560 084
2. SRI.A.SHANKARAIHAH
AGED 53 YEARS
S/O SRI. YALLAIAH SETTY
R/AT NO.16/3, THANISANDRA MAIN ROAD
BENGALURU - 560 077
3. SRI. M. MUTHURAMAN
AGED 53 YEARS
S/O SRI. MURUGESHAN
R/AT NO.32/22, 4TH CROSS
MUNIVENKATAPPA LAYOUT
ARABIC COLLEGE POST
NAGAWARA, BENGALURU - 560 045

4. SRI.M.SRIDHAR
AGED 55 YEARS
S/O SRI. MUNI NANJAPPA
R/AT NO.5, CORPORATION MARKET
R.V.ROAD, V.V.PURAM
BENGALURU - 560 004
5. SRI. AMARANRAYANASWAMY
AGED 32 YEARS
S/O SRI. M. THEERTHA GIRI
R/AT NO.50/4, SUSHEELA MAIN ROAD
LALBAUGH, UPPARAHALLI
BENGALURU - 560 004
6. SRI ELUMALAI
AGED 52 YEARS
S/O RAMALINGAM
R/AT NO.7/13, 1ST CROSS
MUNIVENKATAPPA BLOCK
VENKATESHAPURAM
BENGALURU - 560 045
7. SRI.S.BALU
AGED 55 YEARS
S/O SRI. SUBRAMANIAM
R/AT NO.25, ST. PATRIC TOWN
2ND CROSS, BENSON TOWAN POST
BENGALURU - 560 046

... PETITIONERS

(BY MR.G.R.MOHAN, ADVOCATE)

AND :

1. THE KARNATAKA STATE POLLUTION CONTROL BOARD
'PARISARA BHAVANA', NO.49
1ST TO 5TH FLOOR, CHURCH STREET
BENGALURU - 560 001
BY ITS CHAIRPERSON

2. THE DISTRICT COMMISSIONER
KANDHAYA BHAVAN
K.G.ROAD
BENGALURU – 560 009

3. THE COMMISSIONER OF POLICE
INFANTRY ROAD
BENGALURU – 560 001

... RESPONDENTS

(MR.GURURAJ R. JOSHI, ADVOCATE FOR RESPONDENT NO.1
MR.V.SREENIDHI, ADDITIONAL GOVERNMENT ADVOCATE FOR
RESPONDENT NOS.2 AND 3)

These Writ Petitions are filed under Articles 226 and 227 of the Constitution of India, praying to direct the respondents to permit the petitioners to make use of the raw materials and idols made out of plaster of paris/painted one to be sold to public till October 2017 and accept the petitioners undertaking to the effect that they will not store or make idols out of plaster of paris after October 2017 and make only idols of clay soil, and etc.

These petitions coming on for Preliminary Hearing this day, **THE CHIEF JUSTICE** made the following:

ORDER

These are writ petitions by the manufacturers of the idols.

There is a complete bar in manufacturing idols with plaster of paris.

These writ petitions are filed by the petitioners alleging that certain idols manufactured with plaster of paris are lying in

the godown of these petitioners and, therefore, they should be permitted to sell them for the time being.

2. A notification has been issued in the month of November 2016. There has been a meeting on July 29, 2016, where the prohibition of use of plaster of paris was considered. In such meeting, the representatives of these petitioners were present.

3. When there has been a complete bar for the manufacture of idols with plaster of paris on environmental issues, we cannot grant the reliefs claimed for in the writ petitions.

The writ petitions are, therefore, dismissed.

There will be no order as to costs.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**