



**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION**

**Writ Petition (Civil) No. 13381/1984**

M.C. Mehta

...Petitioner (s)

versus

Union of India and other

...Respondent(s)

**JUDGEMENT**

**SURYA KANT, CJI.**

**A. INTRODUCTION**

1. The instant Writ Petition is, as of today, among the oldest matters pending before this Court. Its continued presence on the cause list over several decades reflects not only the intricacies of the issues involved but also the evolution of this Court's environmental jurisprudence and its sustained commitment to ecological protection. What initially originated as a limited plea for the preservation of the Taj Mahal has, over time, transformed into a continuing environmental cause, encompassing issues of heritage conservation, industrial regulation, urban governance, and the State's constitutional obligation to maintain ecological balance for present and future generations.

2. The present petition, at its inception, was occasioned by the visible deterioration of the Taj Mahal, manifested in the yellowing and blackening of its white marble, apparently attributable to air pollution in and around Agra. This alarming state of affairs prompted noted

environmental activist, Shri M.C. Mehta, to invoke the jurisdiction of this Court, contending that a monument of unparalleled national and international significance ought not to be left vulnerable to unchecked emissions and administrative inaction.

- 3.** The original writ petition, as shown in the record, attributed the damage to the Taj mainly to emissions from foundries, chemical and hazardous industries, brick kilns, generator sets, vehicular traffic, and the Mathura Refinery. It relied on expert material, including the Report on Environmental Impact of the Mathura Refinery, and sought appropriate directions to the concerned authorities to take immediate steps to reduce air pollution in the region and protect the Taj. These proceedings early on also noted the Petitioner's insistence on a detailed survey of polluting units in the Agra region, including foundries, ferro-alloy, rubber-processing, lime-processing, engineering, and chemical industries, while also indicating that the Mathura Refinery and the Firozabad glass industry were contributing sources towards the gradual yet unflinching decay of the monument.
- 4.** That, however, was only the point of departure. In the forty-two years that have since elapsed, not only have the facts and contours of this case undergone substantial change, but the constitutional response of this Court to questions of environmental degradation has itself deepened and matured. Through a consistent line of decisions, this Court has given operative content to the *precautionary principle* and the

*polluter pays principle*, while emphasising that development and environmental protection are not opposing claims to be mechanically balanced, but constitutional values that must be reconciled through the discipline of sustainable development and inter-generational equity.

5. In that process, this Court has also fashioned and employed the device of *continuing mandamus* as an instrument for securing effective enforcement of fundamental rights. By issuing successive directions, calibrated to changing conditions and emerging concerns, the Court has sought to ensure that complex and evolving environmental wrongs do not escape redress merely because they do not admit of a single, once-for-all remedy. The present proceedings are, in many ways, emblematic of that jurisdiction and of this Court's resolve to give meaningful content to the right to a clean and healthy environment.
6. The Court must, at this stage, acknowledge the sustained efforts of all those who have contributed to this long and exacting process. We record our deep appreciation for the initiative, public spirit and perseverance of Shri M.C. Mehta, whose original invocation of this Court's jurisdiction brought these matters into constitutional focus. We must also acknowledge the assistance rendered over the years by the learned *amici curiae* and counsel appearing for the parties, whose labour, learning and commitment have enabled this Court to address issues of unusual scientific, administrative and environmental complexity.

7. Yet, the passage of time has also altered the procedural character of the case. In recent years, the proceedings have borne only a limited connection with the original prayers in the Writ Petition. Considerable developments have taken place on the ground; certain preservation measures have provided results; and, at the same time, a large number of new concerns have been brought before the Court by way of various interlocutory applications. The proceeding has thus expanded far beyond the frame of the original petition and the directions that arose directly therefrom.
8. The record as it now stands contains more than 150 pending applications touching upon a wide and heterogeneous range of issues. Many of them involve matters that require close attention, but cannot, with procedural coherence, continue indefinitely under the umbrella of a single petition instituted in 1984. Such accretion, while perhaps understandable in a continuing mandamus, has inevitably affected clarity of focus, administrative manageability, and the timely consideration of the diverse issues that now arise in relation to the Taj Trapezium Zone.
9. It was in this backdrop that *vide* the order dated 23.02.2026, this Court indicated that it would be appropriate to bring the instant Writ Petition to a formal close, while ensuring that all live and subsisting concerns are carried forward in a more structured manner. The object is not to

abbreviate judicial oversight, but to inculcate the supervision into more focused, effective, and institutionally sustainable frameworks.

**10.** The formal disposal of this Writ Petition thus must not be understood as a retreat from the environmental concerns that have engaged this Court for over four decades. On the contrary, it aims to honour the legacy of this litigation by addressing its ongoing issues within an improved procedural framework and reaffirming the constitutional obligation and commitment of the highest Court in the country.

**11.** Learned *Amicus Curiae*, Ms. Liz Matthew, Senior Advocate, to that end and in accordance with the order dated 23.02.2026, has placed a brief note on record, indicating the steps that may appropriately be taken to facilitate this transition. Upon hearing the learned Counsel/Senior Counsel appearing for the parties, and having carefully perused the record, let us first proceed to delineate the suggestions put forth before us.

**B. SUGGESTIONS OF THE LEARNED AMICUS CURIAE**

**12.** Through her self-speaking note, the learned *Amicus* has preliminarily laid out the history and scope of adjudication undertaken through the instant Writ Petition. Thereafter, she has addressed two specific questions.

**13.** *Firstly*, Ms. Matthew is of the opinion that the proceedings in the instant Writ Petition may be converted into a newer *Suo Moto* case. In

that respect, she has identified different categories of issues which arise for this Court's consideration in the instant proceedings. It is suggested that the interlocutory applications pending in the instant Petition be divided as per these categories and then be listed accordingly, in an organised manner.

- 14.** *Secondly*, the learned *Amicus* has submitted that this Court ought not to transfer the pending issues to the jurisdictional High Court(s). *Inter alia*, she has highlighted that since the Taj Trapezium falls across State borders, the jurisdiction would lie with different High Courts. Furthermore, it is noted that the long history of these issues before this Court would make it procedurally difficult for the High Court(s) to modify the previous orders of this Court. That would prevent the Court(s) from taking any dynamic approach, thereby undermining the very reason for implementing the new frameworks.
- 15.** Additionally, the *Amicus* has also recommended some procedural changes to inculcate enhanced timeliness towards the adjudication of new cases.
- 16.** There is merit in the submissions of the learned *Amicus Curiae*. We are satisfied that the ends of justice would be best served by formally disposing of the present Writ Petition and taking up the surviving issues through newly registered *suo moto* cases. This Court also agrees that an exercise in categorisation of the pending IAs is a crucial step in this transformation.

**C. DIRECTIONS**

**17.** Keeping in mind these recommendations and with its sight on the protection and preservation of the environment in the Taj Trapezium Zone, we deem it appropriate to issue the following directions:

- (i)** The instant Writ Petition stands formally disposed of;
- (ii)** In its place, the Registry shall register four new Suo Moto Writ Petitions (Civil) to consider the following issues:

- (a) Vision Document for the Taj Trapezium Zone;**
- (b) Protection of Trees and Green Cover in the Taj Trapezium Zone;**
- (c) Regulation of Industries in the Taj Trapezium Zone;** and
- (d) Protection and Management of Water Bodies and Sewage in the Taj Trapezium Zone;** and

- (iii)** No new interlocutory application(s) or miscellaneous application(s) shall hitherto be entertained by the Registry in the instant Writ Petition or in the new Suo Moto cases, till further orders.

**18.** The interlocutory applications pending in the instant Writ Petition shall be dealt with in the manner explained hereafter:

- (i)** The concerned Advocate-on-Record (**AOR**) (which would include Party-in-Person) who has filed the IA shall inform the Registry as to whether the IA has become infructuous due to orders passed by this Court or the efflux of time. If the AOR does not approach the Registry for the above purpose on or before 15.05.2026, it shall be presumed that the respective IA has been rendered infructuous;
- (ii)** If the AOR states that a particular IA has not become infructuous, he or she shall also place a note containing **(i)** the *suo moto* case which the IA falls under; **(ii)** the details of the Applicant(s); **(iii)** the prayer sought; and **(iv)** the reason why the same is not already covered by the orders passed by this Court;
- (iii)** Meanwhile, the learned *Amicus Curiae*, in collaboration with the learned counsel for Union of India and the States of Uttar Pradesh and Rajasthan, may undertake a similar exercise and identify the various IAs that have been rendered infructuous, but are yet to be formally disposed of;
- (iv)** All the IAs, where the *Amicus* and the respective AOR(s) are *ad idem* that the same are infructuous, shall be listed as Miscellaneous Applications before the Registrar Court for their final disposal;
- (v)** The IAs, which, according to the learned *Amicus*, have become infructuous but remain pending as per the respective AOR(s), shall be marked as 'disputed'. Such IAs shall be listed as Miscellaneous

Applications before the Registrar Court for determining whether the matter requires further consideration of this Court; and

**(vi)** All the IAs, where the *Amicus* has indicated that further consideration by this Court is required, shall stand transferred to the respective *Suo Moto Writ Petition(s)*.

**19.** Similarly, the learned *Amicus* is requested to submit to the Registry a list of such specific issues, which had been taken cognisance of by this Court and require further consideration but cannot be traced to a particular Interlocutory Application. Such matters shall be, accordingly, taken up as part of the appropriate *Suo Moto Writ Petition*.

**20.** An exercise analogous to that contained in Paragraph 18 shall be taken with respect to the Appeals and Petitions tagged with the instant *Writ Petition*, except Contempt Petitions. Accordingly, if they are required to be considered by this Court, they shall be registered as IAs within the respective *Suo Moto Writ Petition*. All tagged Contempt Petitions shall be separately listed after taking directions from the Chief Justice of India on the administrative side.

**21.** The Registry shall list the newly registered *Suo Moto Writ Petitions* after seeking directions from the Chief Justice of India on the administrative side.

**22.** We clarify that the formal closure of the instant *Writ Petition* does not efface the binding character of the orders and directions issued by this

Court from time to time. Those directions are final and shall continue to remain operative, subject to such further orders, modifications, or clarifications as may be issued in the future proceedings. In the event that leave of this Court is required by a party, such party shall be at liberty to approach this Court through a fresh Writ Petition.

**23.** Having observed so, we are of the considered opinion that further guidelines ought to be laid down for Writ Petitions filed seeking permission of this Court to cut or relocate trees in the Taj Trapezium Zone. Accordingly, we direct as follows:

- (i)** Learned *Amicus* shall prepare a tabulated chart, which would include, *inter alia*, the project proponent, the details of the project, the number and types of trees to be cut/relocated, and the compensatory afforestation details, which may be circulated to all AORs, preferably by 30.04.2026;
- (ii)** The AOR(s) for the applicant shall attach, as an annexure, the proforma chart containing all prescribed details to the Writ Petition; and
- (iii)** The Registry is directed to list the Writ Petition only if the AOR has attached the duly filled proforma chart, and after an advance copy of the Petition is supplied to the CEC and the learned *Amicus Curiae*.

**24.** Ordered accordingly.

**25.** Before parting with this order, we deem it appropriate to place on record our appreciation for the valuable assistance rendered by all the learned counsel and the parties appearing in person towards preserving the cultural and historical icons of this nation. We hope that the renewed frameworks established through this judgment will empower us to take such efforts forward and enable this Court to more effectively oversee the steps taken for the protection and conservation of the environment.

.....**CJI**  
**(SURYA KANT)**

.....**J.**  
**(JOYMALYA BAGCHI)**

.....**J.**  
**(VIPUL M. PANCHOLI)**

**NEW DELHI;**  
**MARCH 11, 2026**