



W.P.No.7740 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.P.No.7740 of 2021
and WMP.No.8285 of 2021
and WMP.Nos.19561 & 19562 of 2023

Shri Pankajam Blue Metal Industries,
Rep. By its partner,
Mr.R.vijayakumar

...Petitioner

Vs.

1.The Chairman,
Tamil Nadu Pollution Control Board,
Chennai.

2.The District Environmental Engineer,
Virudhunagar District,
Virudhunagar.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 03.11.2020, seeking consent for running crusher unit under the name and style of M/s.Sri Pankajam Blue Metal Industries in SF Nos.23/9A, 23/9B & 23/3 in kalloorani Village, Virudhunagar District.



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For Petitioner : Lieutenant Colonel Ganesan.S
For Respondents : Mr.B.N.Suchindran
Standing Counsel for R1 & R2

ORDER

M.S.RAMESH, J.

and

R.SAKTHIVEL, J.

The Writ Petition has been filed to direct the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 03.11.2020, seeking consent for running crusher unit under the name and style of M/s.Sri Pankajam Blue Metal Industries in SF Nos.23/9A, 23/9B & 23/3 in kalloorani Village, Virudhunagar District.

2. It is the case of the petitioner that M/s.Shri Pankajam Blue Metal Industries is a partnership firm. During the currency of its operations, the firm had filed an application before the second respondent seeking consent for expansion of the unit in the adjacent subdivisions. The said application was rejected on 17.07.2018. Aggrieved by the same, the petitioner firm preferred an appeal before the Appellate Authority, wherein the impugned order of rejection was set aside and the Board was directed to reconsider the application and grant consent for expansion of the unit. However, since the said direction was not



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complied with, the petitioner firm made a representation dated 03.11.2020 before the first respondent, seeking consent for running the crusher unit under the name and style of M/s.Sri Pankajam Blue Metal Industries in SF Nos.23/9A, 23/9B & 23/3. As the same has not been considered till date, the petitioner has come forward with this Writ Petition.

3. Heard the learned counsel for the petitioner and the learned counsels appearing for the respondents.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5. In view of the above observation, this Court, without going into



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the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the respondents 1 and 2 to consider the representation of the petitioner dated 03.11.2020, seeking consent for running crusher unit under the name and style of M/s.Sri Pankajam Blue Metal Industries in SF Nos.23/9A, 23/9B & 23/3 in kalloorani Village, Virudhunagar District, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons, if any.

6. With the above direction, this Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

[M.S.R., J] [R.S.V., J]

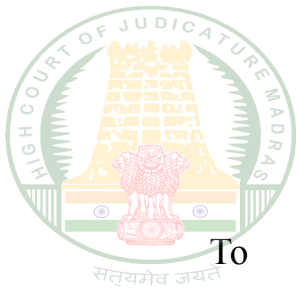
10.10.2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu



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To

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- 1.The Chairman,
Tamil Nadu Pollution Control Board,
Chennai.
- 2.The District Environmental Engineer,
Virudhunagar District,
Virudhunagar.
- 3.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.
and



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R.SAKTHIVEL, J.

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