



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 5946 of 2025

and WMP.No. 6540 of 2025

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..Petitioner

Vs

1. The District Collector
O/o.The District Collector,
Erode- Post And District.
2. The Commissioner
Erode Corporation,
Erode Post And District.
3. The District Environmental Engineer
Tamil Nadu Pollution Control Board,
Plot No. 815, SIDCO Industrial Estate,
Kalyanasundaram Street, Sennimalai Road,
Erode- 638 009.
4. The Deputy Commissioner
Erode Corporation Zone - IV,
Erode- Post And District.

..Respondent(s)

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Notice No. 01/ 2025, Va.E.58 /m.IV on the file of



the commissioner, Erode Corporation Zone- IV dated 31.01.2025 and quash the same and further direct the respondents to grant permission for roasting and grinding coffee beans in Kannan Coffee at 216/3, Vinayagarkoil Street, Moolapalayam, Erode District and pass orders.

For Petitioner(s): Mr. D.Veerasekharan

For Respondent(s): Mr.P.Siddarth, Govt.Counsel – R1 & R3

Mr.M.Rajamathivanan – R2 & R4

ORDER

The petitioner challenges the notice dated 31.01.2025 issued by the 4th respondent under Section 180 of the Tamil Nadu Urban Local Bodies Act, 1998 read with Rule 384 of the Tamil Nadu Urban Local Bodies Rules, 2023, directing him to stop the coffee roasting and grinding activities carried on in his premises within seven days.

2. According to the petitioner, he has been carrying on the said business on the strength of a valid trade licence issued by the respondent Corporation. However, without issuing any show cause notice or affording an opportunity of hearing, the 4th respondent issued the impugned notice directing closure of the business.

3. Heard the learned counsel for the parties and perused the materials on record.



4. Section 180 of the Tamil Nadu Urban Local Bodies Act, 1998 provides for the imposition of penalties on any person who contravenes the provisions of the Act, the Rules, the bye-laws, or any order or direction issued thereunder.

5. Rule 384 of the Tamil Nadu Urban Local Bodies Rules, 2023 deals with the abatement of nuisance. It empowers the Commissioner, where any activity carried on in a building or land causes or is likely to cause nuisance to the neighbouring residents by reason of dust, smoke, foul smell, noise or similar factors, to issue a notice directing the owner or occupier to take appropriate steps to remove such nuisance. Failure to comply with such notice attracts penalty under Section 180 of the Act.

6. Neither Section 180 of the Act nor Rule 384 of the Rules authorises the respondent to direct closure of the petitioner's coffee roasting and grinding business. The power under Rule 384 is only to require the occupier to take measures to abate the alleged nuisance. Further, there is no material placed on record to show that the petitioner's activity has in fact caused or is likely to cause nuisance to the neighbouring residents. In any event, the impugned notice was issued without giving the petitioner an opportunity of hearing, which is in clear violation of the principles of natural justice.

7. For the above reasons, the impugned notice dated 31.01.2025 is set aside. The writ petition is allowed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.



8. The petitioner is at liberty to submit an application for renewal of the trade licence before the 2nd respondent. On receipt of such application, the 2nd respondent shall consider the same on its own merits and pass appropriate orders, in accordance with law, within a period of two weeks from the date of its receipt.

22-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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HEMANT CHANDANGOUDAR, J.

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