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WP No. 8980 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 8980 of 2023

AND

WMP NO. 21029 OF 2023, WMP NO. 21030 OF 2023, WMP NO. 21031 OF 2023, WP NO. 21658 OF 2023, WMP NO. 9104 OF 2023, WMP NO. 21027 OF 2023

W.P.No.8980 of 2023

Nandu Breeding Farm Unit,
Rep., by its partner P. Pradeep Kumar,
Ward No. 6 Chinnakampalayam,
Dharapuram Taluk, Tiruppur District.

Petitioner

Vs

1.The District Collector,
Tiruppur.

2.The Joint Director,
Animal Husbandry Department,
Tiruppur.

3.S.Sundarasamy,
S/o Chinnimalai Gounder,
Chinnathottam, Chinnakampalayam,
Dharapuram Taluk, Tiruppur District.

Respondent(s)

W.P.No.21658 of 2023

S.Deivasigamani,
S/o.Subbaiah Goudner, Chetti Thottam,
Panjapatti, Chinnakampalayam,
Dharapuram, Tiruppur District.

Petitioner



Vs

1. The District Collector,
Palladam Road, Tiruppur District.

2. The Tahsildar,
Dharapuram, Tiruppur District.

3. Zonal Deputy Director,
Animal Husbandry Department,
Tiruppur District.

4. The Revenue Divisional Officer,
Dharapuram, Tiruppur District.

5. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Tiruppur South, Tiruppur District.

6. P. Pratheepkumar,
Nandhu Breeding Farm, Ward No.6
Chinnakampalayam, Dharapuram,
Tiruppur District.

7. Srividhya
W/o. Pradeepkumar,
Nandhu Breeding Farm, Ward No.6,
Chinnakampalayam, Dharapuram,
Tiruppur District.

Respondent(s)

PRAYER in WP No. 8980 of 2023:- Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorari, calling for the records pertaining to impugned order made in Na.Ka. 22789 / 2022 / E2 dated 3.1.2023 on the file of the 1st respondent herein and the consequential order made in Na.Ka. No. 108 / E/ 2023 dated 21.02.2023 on the file of the 2nd respondent and quash the same.



PRAYER in WP No. 21658 of 2023:- Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to impugned order of the 1st respondent in Na.Ka. 22789/ 2022/ E2 dated 24.06.2023 and quash the same and issue consequential direction forbearing the 6th and 7th respondent from running the poultry farm S.No. 102/1, 102/2A, 104/1, 104/2, 139/1A, 104/1B, 104/2, 104/2A, 104/2C, 138, 139 situated at Chinnakkampalayam Village, Dharapuram Taluk, Tiruppur District.

W.P.No.8980 of 2023

For Petitioner(s): Mr.V.C.Janarthanam
For Mr.P.Muthukumarasamy

For Respondent(s): Mrs.S.Anitha
Special Government Pleader
For R1 & R2

Mr.P.Saravana Sowmiyan For R3

W.P.No.21658 of 2023

For Petitioner(s): Mr.M.Vijayan
For M/s.Karan and Uday

For Respondent(s): Mrs.S.Anitha
Special Government Pleader
For R1 to R4

Mr.B.N.Suchindran
Standing Counsel For R5

Mr.V.P.Sengottuvel
Senior Counsel
For Mr.R.Muthukumarasaamy
For R6 & R7

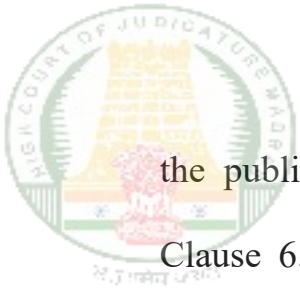
**COMMON ORDER**

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W.P.No.8980 of 2023 has been filed by the petitioner challenging the impugned order made in Na.Ka. 22789 / 2022 / E2 dated 3.1.2023 on the file of the 1st respondent herein and the consequential order made in Na.Ka. No. 108 / E/ 2023 dated 21.02.2023 on the file of the 2nd respondent and quash the same.

W.P.No.21658 of 2023 has been filed challenging the impugned order of the 1st respondent in Na.Ka. 22789/ 2022/ E2 dated 24.06.2023 and quash the same and issue consequential direction forbearing the 6th and 7th respondent from running the poultry farm S.No. 102/1, 102/2A, 104/1, 104/2, 139/1A, 104/1B, 104/2, 104/2A, 104/2C, 138, 139 situated at Chinnakkampalayam Village, Dharapuram Taluk, Tiruppur District.

2.Learned counsel for the petitioner in W.P.No.21658 of 2023 would submit that the 1st respondent herein has issued an approval permitting the respondents 6 and 7 to run the poultry farm subject to the certain conditions. However, the dust; feathers of birds and the flies from the poultry farm cause allergies and chronic obstructions to the petitioner and also to the villagers, which leads to bacterial and fungal disease. The respondents 6 and 7 have failed to follow certain guidelines to run the said poultry farm which cause disease to



the public residing nearer to the said poultry farm. Therefore, by referring Clause 6.4 of the Environmental Guidelines issued by the Central Pollution Control Board (Ministry of Environment, Forest and Climate change, Govt. of India) (Januray 2022), learned counsel for the petitioner requests this Court to direct the respondents 6 and 7 to comply Clause 6.4 of the aforesaid guidelines along with the conditions prescribed by the 1st respondent in Paragraph No.12 of the impugned order dated 24.06.2023, which would be sufficient to meet out the case of the petitioner.

3.Mr.V.P.Sengottuvel, learned Senior Counsel for Mr.R.Muthukumarasamy, learned counsel appearing for the respondents 6 and 7 in W.P.No.21658 of 2023 would submit that the respondents 6 and 7 will comply with the conditions prescribed by the 1st respondent in paragraph number 12 of the impugned order dated 24.06.2023 and Clause 6.4 of the guidelines issued by Central Pollution Control Board (Ministry of Environment, Forest and Climate change, Govt. of India) (Januray 2022).

4.In reply, learned counsel for the petitioner would submit that since the contesting respondents 6 and 7 are inclined to comply with the conditions imposed by the 1st respondent as well as clause 6.4 of the aforesaid guidelines, a time frame may be fixed to comply the same and a direction may be issued to the Pollution Control Board to ensure the compliance of the order of the 1st



respondent as well as Clause 6.4 of the aforesaid guidelines by the respondents 6 and 7.

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5. Heard both sides and perused the materials available on records.

6. Considering the above submissions made by the respective parties and upon perusal of the records, it is evident that the issue in the present case is with regard to the obstruction faced by the petitioner and other neighbours due to the flies from the poultry farm being run by the respondents 6 and 7. Several photographs have also been produced before this Court to show how the petitioner is affected due to the flies. Apart from the petitioner, the animals are also get affected due to the flies. Therefore, according to the petitioner though the 1st respondent has issued certain conditions to run the said poultry farm, the Central Pollution Control Board (Ministry of Environment, Forest and Climate change, Govt. of India) in the month of January 2022, has also issued certain guidelines for running a poultry farm. If Clause 6.4 of the said guidelines is complied with by the respondents 6 and 7 along with the conditions prescribed by the 1st respondent, it would suffice to meet out the case of the petitioner.

7. For better appreciation, Clause 6.4 of the guidelines issued by the Central Pollution Control Board (Ministry of Environment, Forest and Climate change, Govt. of India) (January 2022) and the condition prescribed by the 1st



respondent in paragraph No.12 of the impugned order dated 24.06.2023 are extracted hereunder:-

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“Environmental Guidelines

6.4 Other issues

Control of Flies: Proper treatment and disposal of manure, ventilation of sheds, control of temperature, good sanitation, swift repairs of leaks, avoidance of feed spills, prompt removal of broken eggs and dead birds shall be ensured for control of flies in the poultry farms. The farm should have provisions of wire nettings, traps, fly-repellents, insecticides etc.

Control of Rodents: Methods for the control of rodents may include: i) Exclusion ii) Trapping Glue boards iii) Tracking powder iv) rodent proof doors and windows to eliminate rodents/pest infestation.

As per Bureau of Indian Standards 1374:2007, on poultry feed specifies that the use of antibiotics should not be mixed with feed or administered for non-therapeutic purposes without prescription for diseased birds.

Regulation for use of antibiotics shall be regulated as per the advisory/directions issued by Department of animal Husbandry, Dairying and Fisheries and Ministry of Health and the Drug Controller General of India.’

“திருப்பூர் மாவட்ட ஆட்சித் தலைவரவர்களின் செயல்முறைகள்

12.....,,

1. தி/ள்.நந்து பிரீடிங் பாரம் கோழிப்பண்ணையில் கோழி கழிவுகளால் ஈக்கள் மற்றும் துர்நாற்றம் எழாமல் இருக்க கால்நடை



பராமரிப்புத் துறையால் அங்கீகரிக்கப்பட்ட அங்கக (Organic) நுண்ணுயிர் மருந்துகள் மற்றும் சுற்றுச்சூழலுக்கு உகந்த பூச்சிக் கொல்லி மருந்துகளை பயன்படுத்தியும், கோழியின் எச்சங்கள், குறிப்பிட்ட கால இடைவெளியில் உடனுக்குடன் அப்புறப்படுத்தப்பட்டு சுத்தமாகவும், சுகாதாரமாகவும் வைத்திருக்க வேண்டும்.

2. மேலும் இந்த கோழிப்பண்ணையிலிருந்து கோழியின் இறகுகள் (அ) பொங்குகள் வெளியே பறக்காதவாறு கோழிப்பண்ணை சுற்றிலும் பசுமை வளையம் மற்றும் நிழல் வளையம் அமைத் கோழிப்பண்ணையை இயக்க வேண்டும்.

3. இறந்த கோழிகளை மத்திய மாசு கட்டுப்பாடு வாரியத்தில் வழிகாட்டு முறைகளை பின்பற்றி அறிவியல் முறைப்படி பாதுகாப்பாக அப்புறப்படுத்த Mortality Pit அமைத்தும், இறந்த கோழிகள் மற்றும் கோழிக்கழிவுகளை கொண்டு உரம் தயாரிக்கும் செயல்பாடுகள் போன்றவை குடியிருப்பு பகுதிக்கு அருகில் மேற்கொள்ள கூடாது.

4. மேற்படி நிபந்தனைகளை பின்பற்றி இயக்க தவறும் பட்சத்தில் கோழிப்பண்ணைகளுக்கு வழங்கப்பட்ட அனுமதியினை ரத்து செய்யப்படும் என இதன் மூலம் தெரிவிக்கப்படுகிறது.”

8.Now it is in agreement between the parties to comply with the conditions prescribed by the 1st respondent in paragraph No.12 of the impugned order dated 24.06.2023 and as well as Clause 6.4 of the Environment Guidelines as extracted above and the respondents 6 and 7 seek two months time to comply the same.



9. In view of the above agreement between the parties, this court pass the following orders:-

i) The respondents 6 and 7 are directed to comply with the condition prescribed by the 1st respondent in paragraph No.12 of the impugned order dated 24.06.2023 and Clause 6.4 of the Environmental Guidelines issued by the Central Pollution Control Board (Ministry of Environment, Forest and Climate change, Govt. of India) (Januray 2022), on or before 30.04.2026

ii) The 5th respondent in W.P.No.21658 of 2023 is directed to ensure that the aforesaid direction of this Court is strictly complied by the respondents 6 and 7 and file a compliance report on or before 02.06.2026.

iii) Since the license granted to run the poultry farm is going to expire on 31.03.2026, the 5th respondent in W.P.No.21658 of 2023 shall extent the license period for another two months so as to enable the respondents 6 and 7 to comply with the order of this Court and after ensuring the compliance of the order of this Court further extension shall be considered.

iv) The respondents 5 and 6 is also directed to file their compliance report on 02.06.2026.



10. With the above direction, W.P.No.21658 of 2023 stands disposed of. In view of the order passed by this Court in W.P.No.21658 of 2023, no further order is required in W.P.No.8980 of 2023 and hence, W.P.No.8980 of 2023 stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

11. Post the matter “For Reporting Compliance” on 02.06.2026.

11-03-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note:- Issue Order Copy on 13.03.2026



To

1.The District Collector,
Tiruppur.

2.The Joint Director,
Animal Husbandry Department,
Tiruppur.

3.The Tahsildar,
Dharapuram, Tiruppur District.

4.Zonal Deputy Director,
Animal Husbandry Department,
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5.The Revenue Divisional Officer,
Dharapuram, Tiruppur District.

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Tiruppur South, Tiruppur District.



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WP No. 8980 of 2023



KRISHNAN RAMASAMY J.

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AND WMP NO. 21029 OF 2023,
WMP NO. 21030 OF 2023,
WMP NO. 21031 OF 2023,
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