



W.P.No.11204 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.11204 of 2024
and W.M.P.No.28063 of 2024

Periyasamy
S/o.Chenniyappan,
18, Nagapalayam, Alampalayam,
Muthur, Kangeyam Taluk,
Tiruppur District.

Petitioner

Vs

- 1.The State of Tamil Nadu
Rep. by the Secretary to Government,
Animal Husbandry, Dairying and
Fisheries (Poultry) Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector
Tiruppur District, Tiruppur.
- 3.The Zonal Joint Director
Animal Husbandry Department,
4/583, Veerapandi Pirivu,
Palladam Road,
Tiruppur- 641 605.



W.P.No.11204 of 2024

4.The Executive Engineer
TANGEDCO,
G.T.Building, Trichy Road,
Palladam, Tiruppur District.

5.The Executive Officer
Muthur Town Panchayat,
Muthur, Tiruppur District.

6.R.Periasamy
S/o.Rakkiappan,
Oodayam Village, Nagapalayam,
Kangeyam Taluk, Tiruppur District.

7.P.Saravana Kumar
S/o.R.Periasamy,
Oodayam Village, Nagapalayam,
Kangeyam Taluk, Tiruppur District.

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 5 herein to take suitable action and close the Poultry Farm run illegally by the respondents 6 and 7 in S.F.No.412/3A, situate at Oodayam Village, Nagapalayam, Kangeyam Taluk, Tiruppur District.

For Petitioner: Mr.R.Inian
for Mr.K.Govi Ganesan

For Respondents: Mr.S.Ganesh Babu
Govt. Advocate
for R1 to R5



W.P.No.11204 of 2024

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

WEB COPY

This writ petition filed under Article 226 of the Constitution of India, styled as public interest litigation, seeks a direction to respondents 1 to 5 to take suitable action and close the poultry farm illegally run by respondents 6 and 7 in S.F.No.412/3A, situated at Oodayam Village, Nagapalayam, Kangeyam Taluk, Tiruppur District.

2. A counter-affidavit has been filed by respondent No.3, in which, it is stated that the inspection team had inspected the poultry farm of respondents 6 and 7 on 10.10.2024 and, at the time of inspection, it was found that all necessary permissions have been obtained by respondents 6 and 7. Paragraphs 5 to 8 of the counter-affidavit are reproduced below:

"5. It is respectfully submitted that Muthur Veterinary Surgeon and Mootharapalayam Veterinary Assistant Surgeon inspected the Poultry Farm (Broiler farm) of the 6th and 7th Respondents on 10.10.2024. At the time of inspection, the farm was kept clean and completely sanitized to receive new chicks.

6. It is respectfully submitted that as per G.O. (Ms) No. 122, Animal Husbandry, Dairying and Fisheries (Poultry) Department, dated 30.09.2009, the following regulation was



W.P.No.11204 of 2024

found to be in accordance during inspection:-

- a) No migratory water bodies are available within 4 Km radius;*
- b) One shed of 350 Feet x 21 Feet with east west orientation and 700 Square Feet feed room having adequate floor space with enough number of feeders and drinkers.*
- c) No hatchery unit is available.*
- d) There is no poultry rearing within 150 meters from the farm.*
- e) The poultry farm has a foot path of 30 cm width at the entrance*
- f) Safe disposal of dead birds in a hygienic way was made in the disposal pit of 9 ft x 7 ft with concrete lid.*
- g) Effective rodent control and fly control procedures are adopted (clothiamdin spray and insect baits used).*

7. It is respectfully submit that pursuant to the Order dated 16.09.2020 in O.A.No.681 of 2017 passed by the Hon'ble National Green Tribunal (Principal Bench), New Delhi, the Central Pollution Control Board has issued guidelines for Poultry Farm. According to the guidelines Poultry Farms which are having more than 5000 birds will have to obtain CTO (Consent to Operate) and CTE (Consent to Establish). In the present case the Poultry Farm owned by the 6th and 7th Respondents has less than 5000 birds (Broiler farm)."

3. It is further stated in the counter-affidavit that, as per the order dated 16.09.2020 passed in O.A.No.681 of 2017 by the National Green Tribunal (Principal Bench), New Delhi, the Central Pollution



W.P.No.11204 of 2024

Control Board has also issued guidelines for poultry farm. According to the guidelines, poultry farms which are having more than 5000 birds will have to obtain CTO (Consent to Operate) and CTE (Consent to Establish). In the instant case, the poultry farm owned by respondents 6 and 7 has less than 5000 birds (broiler farm). Therefore, the CTE and CTO are not necessary.

4. Since the poultry farm owned by respondents 6 and 7 has less than 5000 birds and no violation has been found by the inspection team at the time of inspection, we find that there is no substance in the allegation made the petitioner that the subject poultry farm run by respondents 6 and 7 is illegal.

Accordingly, the writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
13.08.2026

Index : Yes/No
Neutral Citation : Yes/No
bbr



W.P.No.11204 of 2024

To:

WEB COPY

- 1.The Secretary to Government,
State of Tamil Nadu
Animal Husbandry, Dairying and
Fisheries (Poultry) Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector
Tiruppur District, Tiruppur.
- 3.The Zonal Joint Director
Animal Husbandry Department,
4/583, Veerapandi Pirivu,
Palladam Road,
Tiruppur- 641 605.
- 4.The Executive Engineer
TANGEDCO,
G.T.Building, Trichy Road,
Palladam, Tiruppur District.
- 5.The Executive Officer
Muthur Town Panchayat,
Muthur, Tiruppur District.



WEB COPY



W.P.No.11204 of 2024

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

bbr

W.P.No.11204 of 2024

13.08.2026