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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

WP No. 27159 of 2022

AND

WMP NOS. 26592 of 2023 and

18212 and 5214 of 2024

Cambridge International Senior Sec. School
Represented by its Chairman
Dr.J.RobertBellarmine,
S/o. A.F.Joseph,
Keelambur, Ambasamudram,
Tirunelveli Dt-627418.

..Petitioner(s)

Vs

1. The Additional secretary to Government,
Environment, Climate Change and Forest
Department, Tamil Nadu Pollution Control
Board, 76, Mount Salai, Guindy,
Chennai- 600 032.
2. The Chief Environmental Engineer
Tamil Nadu Pollution Control Board, No.76,
Mount Salai, Chennai- 32.
3. VMV Kings Traders
Rep by its Director No.288/2 Kizha Ambur,
Ambasamudram Taluk, Thirunelveli District- 18.
4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,



30/2, SIDCO Industrial Estate, Pettai,
Tirunelveli – 627 010 .

(R4 suo motu impleaded vide this order)

..Respondent(s)

Prayer: Writ petition filed under Article 226 of Constitution of India for issuance of writ of mandamus directing 1st and 2nd respondents to dispose the Petitioner's representation dated 06.05.2022, 18.05.2022 and to save the children and staff of Petitioner's school to live healthy by preventing 3rd respondent from drying and cooking wet meat.

For Petitioner(s): Mr.M.Suresh Viswanath
for Mr. I.Arockia Selvaraj

For Respondent(s): Mr.P.Anandakumar
Government Advocate (for R1)
Mr. B.N.Suchindran
Standing Counsel (for R2 and R4)
Mr. W.M.Abdul Majeed (for R3)

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

The prayer of the petitioner is for disposal of its representations dated 06.05.2022 and 18.05.2022, in effect, prevent the activities of R3 that are carried out in its proximity.

2. The petitioner is a school and at the time of institution of the Writ Petition claims to have a strength of 600 students and 40 teaching and non-teaching staff. It is aggrieved by the activity of R3, a bone crushing unit, in



particular drying and cooking of wet meat which causes hardship to the students and the other persons in the school by reason of the odour caused.

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3. This Court vide order dated 11.10.2023 had appointed an Advocate Commissioner to inspect the school and a report dated 15.11.2023 is available on file. The Advocate Commissioner has noted that there was some odour caused by the activities of R3 and has made suggestions as to how the same may be contained. In specific, she notes that R3 has obtained consent to operate and hence the activity carried on is with necessary approvals.

4. Mr.Suchindran, learned counsel for the Tamil Nadu Pollution Control Board/R2 has filed status report dated 26.07.2024, wherein the Pollution Control Board confirms that the remedial measures suggested by the Advocate Commissioner have been complied with, that is, R3 has installed a blower cum suction arrangement attached to the crushing and sieving machine and has connected it to the bio-filter for the control of the odour.

5. In the Inspection Report dated 27.03.2024, the following observations have been made by the Board:

- i. *The said unit was not in operation and it was informed that the workers were on leave due to death in neighbourhood.*
- ii. *The unit consists of dry bone storage area and crushing area.*
- iii. *The dry bones were found to be heaped in the storage area and the entire storage and crushing area was covered with shed.*



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- iv. *Lime powder was found to be spread on the dry bones in the storage area.*
- v. *The unit has provided duct connected with blower and bio filter to reduced odour emission from crushing machine; however mild odour was observed during inspection.*
- vi. *The unit has provided iron gates in the crushing area and storage area for lorry to load/unload bones.*
- vii. *Along the Southern side and Western side of the storage areas there were few opening in the shed.*
- viii. *The entire shed area was surrounded by trees.*

6. Point (v) above records that odour was observed during inspection.

Mr.Suchindran also confirms on oral inspections that approval to run the unit has been validly secured by R3 and consent to operate, that was initially granted for a period between 31.03.2023 and 31.03.2025, has been extended thereafter, upto 31.03.2030.

7. MrW.M.Abdul Majeed, learned counsel for R3 would, apart from pointing out that the activities of R3 are carried out with necessary consent and approvals, points out that R3 unit has been functioning in the present location from 2003 onwards and it is the school that had been established thereafter and hence there is no justification in disturbing the activities of R3, particularly since there are no violations.

8. We have heard both learned counsel. There appears to be little dispute on the position that the school has been established only subsequent to the setting up of the industrial unit. On 12.02.2022, the Madurai Bench of this



Court disposed W.P.(MD) No.13377 of 2019 that had been filed by R3 seeking a mandamus directing the official respondents to inspect the property of the school and consider its representation to prevent it from being established.

9. While closing the matter on 12.12.2022, the Court records that when the matter was taken up for hearing, the school had already been opened and hence there was nothing that survived for adjudication. Taking a cue from the same, it appears that the school has been established only proximate to the date of the Court's order which is somewhere in end December, 2022.

10. In such circumstances, we agree that there is no justification for us to intervene in, or disturb the activities of R3 that have been carried on prior to the establishment of the school.

11. What remains to be seen is whether the activities of R3 are being conducted properly, particularly as it is proximate to the school housing hundreds of students and staff.

12. The Pollution Control Board confirms that R3 holds the necessary licences and approvals. Hence, and to ensure up-to-date compliance of R3 with all Rules and Regulations concerning pollution control, we direct the Tamil Nadu Pollution Control Board to consider the pending representations of the petitioner. Mr. Suchindran states that there is a District Environmental Engineer



in Tirunelveli and he would be in a better position to cause inspection, hear both the parties and pass orders on the representations.

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13. Hence, we suo motu implead the District Environmental Engineer, Tamil Nadu Pollution Control Board, 30/2, SIDCO Industrial Estate, Pettai, Tirunelveli – 627 010 as R4 in this Writ Petition and Mr. Suchindran, learned counsel accepts notice for the newly impleaded R4.

14. R4 shall cause an inspection of R3 unit to ensure that the activities are being carried out in a manner aligning with the conditions for approval, hear both parties and pass a speaking order on the representations of the petitioner, within a period of six (6) weeks from date of receipt of a copy of this order.

15. This Writ Petition is disposed as above. No costs. Connected Miscellaneous Petitions are closed.

(A.S.M.,J.) (M.S.K.,J.)

16-02-2026

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Index: Yes/No

Speaking order

Neutral Citation: Yes

Note: Registry to carry out necessary amendments in the cause title.



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3. VMV Kings Traders
Rep by its Director N.288/2 Kizha Ambur,
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WP No. 27159 of 2



DR.ANITA SUMANTH J.
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