

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:11.08.2017

Coram

THE HONOURABLE **Mr. JUSTICE M.VENUGOPAL**
AND
THE HONOURABLE **Mr. JUSTICE P.D.AUDIKESAVALU**

W.P.No.5253 of 2006 and
WPMP Nos.5623 and 5624 of 2017

A.Muthu

.. Petitioner

Vs.

1. The Chairperson,
Tamilnadu Pollution Control Board,
Anna Salai,Guindy,
Chennai

2. The District Environmental Engineer,
Post Box No.457, Salem.

3. The District Collector,
Salem District, Salem.

4. The Executive Officer, सत्यमेव जयते
Thammampatti Panchayat
Thammapatti,Gangavalli Taluk,
Salem District

5. M.Periannan
13th Ward, Trichy Road,
Thammampatti,
Gangavalli Taluk,
Salem District

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus by directing the Respondents 1 to 4 to take action against the illegal setting up of the Poultry Industry by the 5th Respondent in the lands in Survey No.202/7, Thammampatti Village, Gangavalli Taluk, Salem District and stop any such illegal activity.

For Petitioner : Mr.Singaravelan, Senior Counsel
for Mr.P.Srinivas

For Respondents : Mrs.Ritachandrasekar for R1 and R2

Mr.K.V.Dhanapalan for R3
Special Government Pleader

Mr.P.P.Shanmuga Sundaram for R4

Mr.N.S.Sivakumaran for R5

ORDER

[Order of the Court was made by M.VENUGOPAL, J.]

When the Petition is taken up for hearing, the Learned Counsel for Respondents 1 and 2 produces a Proceeding No.T1/TNPCB/LA1/6559/TNPCB/2006/SLM/A/2017, dated 10.08.2017 of the 1st Respondent (issued by the Member Secretary, Tamilnadu Pollution Control Board) whereby and whereunder a direction was issued that the Unit of M/s M.Periannan Poultry Farm, Salem District (5th Respondent in the Writ Petition) shall be closed with immediate effect.

2. Recording the aforesaid fact, this Court disposes of the Writ Petition, as nothing survives for adjudication. It is abundantly made clear that the disposal of the present Writ Petition based on the proceedings of the 1st Respondent dated 10.08.2017 shall not preclude any of the parties to the Writ Petition to challenge, as an 'aggrieved person', the proceedings of the Respondents 1 and 2 before the competent forum in the manner known to Law and in accordance with Law, if he / it so desires / advised. No costs. Consequently, connected Miscellaneous Petitions are closed.

(M.V., J.) (P.D.A., J.)

11.08.2017

Index :Yes / No
Internet :Yes / No

Reasoned Order

ssd

सत्यमेव जयते
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M.VENUGOPAL, J.
and
P.D.AUDIKESAVALU, J.

To

1. The Chairperson,
Tamilnadu Pollution Control Board,
Anna Salai, Guindy,
Chennai
2. The District Environmental Engineer,
Post Box No.45, Salem.
3. The District Collector,
Salem District, Salem.
4. The Executive Officer,
Thammampatti Panchayat
Thammampatti,
Gangavalli Taluk,
Salem District
5. M.Periannan
13th Ward, Trichy Road,
Thammampatti,
Gangavalli Taluk,
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