



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.2783 of 2017

and

W.M.P. (MD) No.2292 of 2017

M.Lakshmanan

... Petitioner

-vs-

- 1.The District Collector,
Virudhunagar District.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.23, Master Plan Area,
Sattur Road, Collectorate,
Virudhunagar.
- 3.The Municipal Commissioner,
Aruppukottai Municipal Office,
Aruppukottai,
Virudhunagar District.
- 4.S.Velayammal
- 5.A.Jothimani

... Respondents

(R4 and R5 are impleaded vide Court order dated 08.03.2017 in W.M.P. (MD) Nos. 2986 and 3162 of 2017)

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to take necessary action to seal the S.A.Vellayammal Mavu Aravai Mill situated at Vetrilaikara Street, Old Bus Stand, Aruppukottai, Virudhunagar District within the time stipulated by this Court.

For Petitioner	: Mr.H.Arumugam
For R1 and R2	: Mr.M.Govindan, Special Government Pleader.
For R3	: Mr.N.Dharmar for Mr.N.Dilip Kumar
For R5	: Mr.G.Thalaimutharasu

**O R D E R**

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

1.The writ petitioner complains that the Mill run by the fourth respondent is causing noise pollution. According to the writ petitioner it is being run in a residential locality by applying high power motor.

2.The said averments are contested by the official respondents as well as the private respondents. According to the Commissioner, Aruppukottai Municipality, the Flour Mill is functioning from 1998 and is located in a commercial zone. It was issued with licence and it is being renewed from time to time. In view of the divergent stand taken by the parties, this Court directs the second respondent herein to conduct inspection of the mill in question. The second respondent shall verify, if the noise emanating from the mill is within permissible decibel levels. It is also open to the second respondent to issue appropriate direction to ensure compliance with the pollution control laws. The second respondent shall carry out this exercise within a period of three months from the date of receipt of a copy of this order.

3.This writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Virudhunagar District.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.23, Master Plan Area,
Sattur Road, Collectorate,
Virudhunagar.
- 3.The Municipal Commissioner,
Aruppukottai Municipal Office,
Aruppukottai,
Virudhunagar District.

+1cc to Mr.R.VENKATESHWAR Advocate in SR. No. 72125

+1cc to Mr.G.THALAIMUTHARASU Advocate in SR. No. 72251

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 72558

+1cc to Mr.N.DILIP KUMAR Advocate in SR. No. 71918

DSS/SSS

JS/MR.KKR/SAR.1/20.09.2017/2P-8C

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