



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
AND
THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 4439 of 2017
and
W.M.P. (MD) Nos. 3568 & 8524 of 2017

P. Ramar

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary, Department of Home,
Fort St. George,
Chennai - 09.
2. The District Collector,
Madurai District,
Madurai.
3. The Tamil Nadu Pollution Control Board,
Rep. By its District Environmental Engineer,
Kappalur,
Madurai - 08.
4. The District Forest Officer,
Officer of the District Forest Officer,
Madurai Division,
Madurai,
Madurai District.
5. The Assistant Executive Engineer,
Distribution/Metro,
TANGEDCO,
Madurai District,
Madurai - 625 020.
6. The Commissioner,
Usilampatti Panchayat Union,
Usilampatti,
Madurai District.



7. The Superintendent of Police,
O/o the Superintendent of Police,
Madurai District, Madurai.

8. Sowthamani Saw Mill,
through its Proprietor,
R.Sowthamani,
238/19, Railway feeder Road,
Seemanoothu Village,
Usilampatti Taluk,
Madurai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.2 to take action under Section 133 of Criminal Procedure Code against the respondent No.8 and close the Saw Mill namely Sowthamani Saw Mill situated at survey No.238/19, Seemanoothu Village, Usilampatti Taluk, Madurai District within time frame stipulated.

(Prayer amended vide Court order dated 15.06.2017
in W.M.P. (MD)No.8524 of 2017)

For Petitioner	: Mr.T.Lajapathi Roy
For R-1 to 4 & R7	: Mr.M.Govindan, Special Government Pleader.
For R -5 & 6	: No appearance

ORDER

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

This writ petition has been filed for a direction to the second respondent to take action for closing the eighth respondent Saw Mill being run at Survey No.238/19, Railway Feeder Road, Seemanoothu Village, Usilampatti Taluk, Madurai District.

2. When the writ petition was taken up for disposal, the report of the third respondent dated 29.12.2016 was made available. It is seen that the said Saw Mill is being operated without the consent of the Tamil Nadu Pollution Control Board. The third respondent is armed with sufficient powers to close the such units which are operating without consent.

3. We therefore direct the third respondent forthwith to take steps for closing the 8th respondent Saw Mill, if it is continuing to operate without statutory clearance including consent from Tamil Nadu Pollution Control Board.



4. With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary, Department of Home,
Fort St. George,
Chennai - 09.
2. The District Collector,
Madurai District,
Madurai.
3. The Tamil Nadu Pollution Control Board,
Rep. By its District Environmental Engineer,
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4. The District Forest Officer,
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6. The Commissioner,
Usilampatti Panchayat Union,
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7. The Superintendent of Police,
O/o the Superintendent of Police,
Madurai District, Madurai.
8. Sowthamani Saw Mill,
238/19, Railway feeder Road,
Seemanoothu Village,
Usilampatti Taluk,
Madurai District.

+1cc to Mr. T.Lajapathi Roy, Advocate SR.No.68435

+1cc to The Spl.GTovernment Pleader SR.No.68980

TA/MR/AKV

VB/SKN/RSK/SAR4/18/08/2017/3P/11C

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