



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **14.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

W.P. (MD)No.21454 of 2019

and

W.M.P. (MD)Nos.18128 and 18129 of 2019

R.Janarthanan

: Petitioner

Vs.

1.The District Collector,
Collector Office,
Trichy.

2.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
No.25, SIDCO Industrial Unit,
Thuvakudy,
Trichy-620 015.

3.The Deputy Director,
Public Health and Family Welfare Department,
Race Course Road,
TVS Tolgate,
Trichy-20.

4.The Executive Officer,
Mannachanallur Town Panchayat,
Mannachanallur,
Trichy-621 005.

5.The Proprietor,
SRI Saravana Modern Rice Mill,
No.47, Rajampalayam Salai,
Mannachanallur,
Trichy-621 005.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate legal action against the fifth respondent for the violations committee under the Air Act, 1981 and Water Act, 1974.

For Petitioner

: Mr.A.Saravanan

For Respondents 1,3&4

: Mr.M.Rajarajan,
Government Advocate

For Respondent No.2

: Mr.V.Vasanthakumar



ORDER

The fifth respondent is the Rice Mill owner. While running a Mill, the fifth respondent discharged effluent without processing the same. It causes water pollution and while hulling the rice, the fifth respondent opened the dryer, which polluted the entire air causing serious injuries on the people, like respiratory diseases, lungs diseases, etc. On complaint, the official respondents have taken action and the second respondent directed the fifth respondent to rectify the mistakes in respect of pollution by his proceedings dated 21.09.2017. Even though the official respondents have commenced the action, they have not followed it up and the illegality committed by the fifth respondent is continuing till date. Aggrieved by the same, the petitioner is before this Court.

2. Considering the facts and circumstances of the case, I am of the considered opinion that it would suffice, if the official respondents are directed to take action in this regard.

3. Accordingly, a direction is issued to the respondents 1 to 4 to conduct elaborate enquiry after giving notice to the petitioner, fifth respondent as well as other stake-holders and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar(CS)

SML

To

1.The District Collector,
Collector Office,
Trichy.

2.The Deputy Director,
Public Health and Family Welfare Department,
Race Course Road,
TVS Tolgate,
Trichy-20.



3.The Executive Officer,
Mannachanallur Town Panchayat,
Mannachanallur,
Trichy-621 005.

WEB COPY

4.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
No.25, SIDCO Industrial Unit,
Thuvakudy,
Trichy-620 015.

+1 CC to M/s.V.VASANTH KUMAR, Advocate (SR-91881[F] dated
15/10/2019)

Order made in
W.P. (MD)No.21454 of 2019
Dated: 14.10.2019

KM/(22.10.2019) 3P 6C