

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.No.4501 of 2020

K.P.E.Ravindran, Director
M/s.Super Fine Bleaching Company Ltd.,
Namakkal District. ...Petitioner

Vs.

1. The Superintendent of Police,
Namakkal District.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents and pass to enable adequate police protection based on the representation dated 18.12.2019 given by the petitioner till completion of the mandatory requirement specified in the peace committee meeting and in the show cause notice in other words to complete the construction of concrete tanks.

For Petitioner : Mr.N.R.Elango,
Senior Counsel
for M/s.Muthu Ganesa Pandian

For Respondents: Mr.M. Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus directing the respondents to provide adequate police protection based on the representation dated 18.12.2019 given by the petitioner till completion of the mandatory requirement specified in the peace committee meeting and in the show cause notice or in other words to complete the construction of concrete tanks.

2. The learned Senior Counsel for the petitioner has submitted that the petitioner is the Managing Director of M/s.Superfine Bleaching Company Kumarapalayam, Namakkal District. he further submitted that originally the said

Company was established in the name of "Veena Processing Mills Limited" in the year 1993. Subsequently in the year 2005, the name of the Company was changed into the present name as "Superfine Bleaching Company Limited" in terms of Sec.21 of the Companies Act, 1956 and with the approval of the Central Government through the Ministry of Law, Justice and Company Affairs, Department of Company Affairs, Registrar of Companies, Tamilnadu, Coimbatore, vide Letter No.72/S.21/4439/2005 dated 03.10.2005 and the Fresh Certificate of Incorporation consequent on change of name has been issued by the Registrar of Companies, Tamil Nadu, Coimbatore in terms of Sec.23(1) of the said Act on 03.10.2005. He further submitted that the petitioner company has constructed the tanks to treat the effluent, but on 09.06.2018 at about 02.10 a.m., UF Feed Tank due to air lock got damaged, immediately dyeing activity was stopped and company got involved in rectifying the defects. He further submitted that on 09.06.2018, the Pollution Control Board inspected the petitioner Company and issued a show-cause notice on 11.06.2018 imposing certain Special Conditions for compliance and sought explanation from the Company as to why action should not be taken in the event of non-compliance leading to violation of provisions of Section 25 (5) of the Water (Prevention and Control of Pollution) Act, 1974.

3. The learned Senior Counsel has further submitted that in pursuant to the said notice, the petitioner has constructed a new tank and some of the villagers obstructed for completing the said tank and hence a representation was submitted to the District Collector, Namakkal District and thereafter, a Peace Committee Meeting was held by the Tahsildar of Kumarapalayam Taluk, Namakkal District on 30.08.2018. He further submitted that in the said Meeting, certain decisions were taken and one such decision was that the petitioner should complete the said construction work of the said tank and for that, the public should allow the workers to go inside and only for the implementing the said decision, the petitioner has submitted a representation before the District Collector, Namakkal District and others on 18.12.2019 seeking police protection, but so far, no action has been taken on the said representation and hence, he requests to direct the respondents to give police protection to the petitioner in pursuance of the petitioner's representation dated 18.12.2019.

4. The learned Additional Public Prosecutor who is appearing for the respondents has submitted that the second respondent may be directed to conduct an enquiry on the petitioner's representation and dispose of the same in accordance with law.

5. Considering the aforesaid submissions, the second respondent is directed to conduct an enquiry on the petitioner's representation dated 18.12.2019 by giving an opportunity to the petitioner to put forth his case and also

rival group, if any and dispose of the petitioner's representation dated 18.12.2019 within a period of one week from the date of receipt of a copy of this order.

6. With the aforesaid directions, this Writ Petition is disposed of.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

gv

To

1. The Superintendent of Police,
Namakkal District.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkkal.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Muthu Ganesa Pandian, Advocate SR.No.16296

W.P.No.4501 of 2020

RK (CO)
GMY (27/02/2020)

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