



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2020

CORAM

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P. (MD) No. 7797 of 2020

and

W.M.P. (MD) No. 7279 of 2020

V. Manoharan Nair

... Petitioner

Vs.

1. The District Collector,  
Kanyakumari District,  
at Nagercoil.

2. The District Environment Engineer,  
Tamil Nadu Pollution Control Board,  
318/A, Water Tank Road,  
Nagercoil - 629 001.

3. The Block Development Officer,  
Thiruvattar Panchayat Union,  
Anakkari, Thiruvattar - 629177.

4. M. Prasanth

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the third respondent to take action based on the letter issued by the second respondent in Letter No. Ko.Tho.Nu.06(191)/2019, dated 16.10.2019 and passed orders to close down the fourth respondent's Flour mill unit, who is operating in the name and style of "V.V. Flour Mill" forthwith, within the time stipulated by this Court.

For Petitioner : Mr. F. Deepak

For R1 : Mr. P. Mahendran,  
Additional Government Pleader

For R2 : Mr. Vasanthkumar,  
Standing Counsel

For R3 : Mr. A. Thiyagarajan,  
Government Advocate.

For R4 : Mr. B. Brijesh Kishore

**ORDER**



2.The petitioner complains that the flour mill run by the fourth respondent is causing him great nuisance.

3.I, therefore, direct the second respondent to conduct inspection of the premises of the fourth respondent. The second respondent after such an inspection, will issue advisory to the fourth respondent setting out the measures to be undertaken by the fourth respondent which can abate the nuisance and reduce noise pollution and other kinds of pollution. A copy of the advisory will also be given to the petitioner.

4.The learned counsel appearing for the fourth respondent, on instruction, states that the fourth respondent will scrupulously comply with the said advisory.

5.In other words, the fourth respondent can continue to run the flour mill provided it does not cause nuisance to the petitioner herein. The second respondent will set out the measures for abating the nuisance.

6.The writ petition is disposed of, with aforesaid directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,  
Kanyakumari District,  
at Nagercoil.

2.The District Environment Engineer,  
Tamil Nadu Pollution Control Board,  
318/A, Water Tank Road,  
Nagercoil - 629 001.



3.The Block Development Officer,  
Thiruvattar Panchayat Union,  
Anakkari, Thiruvattar - 629177.

+1 CC to Mr.B. BRIJESH KISHORE, Advocate ( SR-15325[F] dated  
31/08/2020 )

+1 CC to SPL GP ( SR-15282[F] dated 28/08/2020 )

W.P. (MD) No.7797 of 2020  
27.08.2020

VB (07.09.2020) 3P 6C