



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.10499 of 2021

M/s. Rajeswari Nagar Residents Safety Welfare Association
(Registration Old No. 23/2009 and New No.136/2017),
Rep. by its Vice President Mr.K.P.Murugan,
No.71, Rajeswari Nagar,
Panruti,
Cuddalore District - 607 106.

.. Petitioner

vs

- 1.Tamilnadu Pollution Control Board,
Rep. by its Member Secretary,
No. 76, Mount Road,
Guindy,
Chennai - 600 032.
- 2.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Plot No. A3, SIPCOT Industrial Circle,
Kudikadu,
Cuddalore - 607 005.
- 3.The District Collector,
Cuddalore District,
Cuddalore - 607 001.
- 4.The Revenue Divisional Officer,
Cuddalore,
St. Joseph School Road,
Cuddalore District - 607 001.
- 5.The Commissioner,
Panruti Municipality,
Diversion Road,
Panruti,
Cuddalore District - 607 105.



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6.The Executive Engineer (Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited,
Poongunam, Chennai Road,
Panruti,
Cuddalore District - 607 106.

7.M/s. Karthick Gupta Exports,
Rep. by its Partner Mr. S.Muthukumar,
Son of Srinivasa Gupta,
Plot Nos. 7 to 16, Rajeswari Nagar,
Panruti,
Cuddalore District - 607 106.

8.The Branch Manager,
Tamil Nadu Industrial Investment Corporation,
Cuddalore Branch,
Cuddalore.
(R8 impleaded vide order dated 23.11.2021)

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the first to fourth respondents to take necessary action against the seventh respondent to closure the factory, being operation in the residential area, without valid consent and permission and further directing the fifth respondent to close and demolish the unauthorized construction factory made by the seventh respondent in Plot Nos. 7 to 16, Rajeshwari Nagar, T.S. No. 10/11, Ward-A, Block No. 7, Panruti, Cuddalore District in pursuance of the order made by the District Collector in Na.Ka.C3/25985/2019, dated 09.10.2019 and as conform by the fifth respondent in his letter No. 1401/2019/H1, dated 22.08.2019, within a time frame as may be fixed by this Court.

For the Petitioner	: Mr. P.Veeramani for Mr. R.Chakkaravarthy
For the Respondents 1 and 2	: Mrs. Shanmugavalli Sekar
For the Respondents 3 and 4	: Ms. R.Anitha, Special Government Pleader
For the Respondent 5	: Mr. P.Srinivas
For the Respondent 6	: Mr. L.Jaivenkatesh
For the Respondent 7	: Mr. R.Bharanidharan
For the Respondent 8	: Mr. K.Magesh



ORDER
(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The writ petition has been filed seeking a direction on the first to fourth respondents to take action against the seventh respondent, which is operating a factory in the residential area.

2. Learned counsel for the seventh respondent submits that factory has already been closed. Certain machineries have also been removed leaving others and that there is no intention to operate the factory on the land in question, rather he will remove the remaining machineries also which are not in use presently.

3. In view of the above, nothing survives in this writ petition and the same is disposed of with the following directions:

- (i) the seventh respondent would not operate the factory on the land in question as it is existing in the residential area;
- (ii) the seventh respondent would remove the machineries whatever is existing now; and
- (iii) the removal of the machinery may be within a reasonable time and in any case, before its removal, the same would not be made operational i.e., the seventh respondent would not run the factory in any case in the land in question.

There will be no order as to costs. W.M.P.Nos.11096 and 11097 of 2021 are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vjt

To:

- 1.The Member Secretary,
Tamilnadu Pollution Control Board,
No. 76, Mount Road,
Guindy, Chennai - 600 032.



2.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Plot No. A3, SIPCOT Industrial Circle,
Kudikadu,
Cuddalore - 607 005.

3.The District Collector,
Cuddalore District,
Cuddalore - 607 001.

4.The Revenue Divisional Officer,
Cuddalore,
St. Joseph School Road,
Cuddalore District - 607 001.

5.The Commissioner,
Panruti Municipality,
Diversion Road,
Panruti,
Cuddalore District - 607 105.

6.The Executive Engineer (Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited,
Poongunam, Chenna Road,
Panruti,
Cuddalore District - 607 106.

7.The Branch Manager,
Tamil Nadu Industrial Investment Corporation,
Cuddalore Branch,
Cuddalore.

+lcc to Mr.K.Magesh, Advocate SR. No.64574
+lcc to Mr.R.Chakkaravarthy, Advocate SR. No.64617
+lcc to Mr.R.Karthikeyan, Advocate SR. No.64529
+lcc to Government Pleader SR. No. 65255 (30/05/2022)

W.P.No.10499 of 2021

SR(CO)
PR (13/12/2021)