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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2021

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.7054 of 2021

Sri Pusspam Textile Mill,
Rep.by its Partner P.Mohan Raj,
SF.1289/5, Baladhandayutham 2nd Street,
Neetapaarai Thottam,
Vendipalayam,
Erode District-638002.

... Petitioner

Vs.

1. The District Collector,
Erode District.
2. The Revenue Divisional Officer,
Erode District.
3. The Tahsildar,
Erode Town,
Erode District.
4. The Village Administrative Officer,
Kasipalayam,
Erode District.
5. The District Environmental Engineer,
Tamil nadu Pollution Control Board,
Erode District.
6. The Senior Engineer,
Tamilnadu Electricity Board,
Erode District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 4 to De-Seal the petitioner's factory at SF.1289/5, Baladhandayutham 2nd Street, Neetapaarai Thottam, Vendipalayam, Erode District-638002 and to restore the Electricity connection to the petitioner's factory of Sri Pusspam Textile Mill by the sixth respondent herein.



For Petitioner : Mr.Arl.Sundaresan, Senior Counsel
for Mr.G.Muthukumar

For Respondents 1 to 4 : Mr.V.Shanmuga sundar,
Special Government Pleader

For Respondent 6 : Mr.N.Damodharan

O R D E R

This writ petition has been filed for a mandamus seeking for a direction to the respondents 1 to 4 to de-seal the petitioner's Textile Mill situated at SF.1289/5, Baladhandayutham 2nd Street, Neetapaarai Thottam, Vendipalayam, Erode District-638002 and restore the electricity connection to the petitioner's Textile Mill by the sixth respondent herein.

2. Heard Arl.Sundaresan, learned Senior Counsel for the petitioner, Mr.V.Shanmuga Sundar, learned Special Government Pleader for the respondents 1 to 4 and Mr.N.Damodharan, learned standing counsel for the respondent 6.

3. The learned senior counsel for the petitioner on instructions would submit that eventhough a positive direction has been sought for by the petitioner in this writ petition, the petitioner is satisfied if the petitioner's representation dated 23.02.2021 requesting the respondents to de-seal the petitioner's Textile Mill which was sealed on 07.02.2021 is considered on merits and in accordance with law. According to the petitioner, they have complied with all the statutory requirements and therefore, their Textile Mill which was sealed on 07.02.2021 has to be de-sealed.

4. No prejudice will be caused to the respondents, if the petitioner's representation dated 23.02.2021 is considered on merits and in accordance with law.

5. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation dated 23.02.2021 requesting the first respondent to de-seal the petitioner's Textile Mill situated at SF.1289/5, Baladhandayutham 2nd Street, Neetapaarai Thottam, Vendipalayam, Erode District-638002 and to restore the electricity connection by the sixth respondent and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner within a period of four weeks from the date of receipt of a copy of this Order.



6. With the aforesaid direction, this writ petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

NL

To

1. The District Collector,
Erode District.
2. The Revenue Divisional Officer,
Erode District.
3. The Tahsildar,
Erode Town,
Erode District.
4. The Village Administrative Officer,
Kasipalayam,
Erode District.
5. The District Environmental Engineer,
Tamil nadu Pollution Control Board,
Erode District.
6. The Senior Engineer,
Tamilnadu Electricity Board,
Erode District.

+2cc to Mr.G.Muthukumar, Advocate, S.R.No.19419

W.P.No.7054 of 2021

PL(CO)
TE(21/04/2021)