



WEB COPY



W.P.No.11220 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.12.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

W.P.No.11220 of 2021  
and W.M.P.No.11872 of 2021

V.Gnanam

... Petitioner

Vs.

1.The Commissioner  
The Greater Chennai Corporation  
Ripon Buildings  
Park Town, Chennai 600 003

2.The Zonal Officer  
Zone – V, Royapuram  
No.62, Basin Bridge Road  
Old Washermenpet, Chennai 600 021

3.The Deputy Commissioner (Health) (i/c)  
The Greater Chennai Corporation  
Ripon Buildings  
Park Town, Chennai 600 003

4.The City Health Officer (i/c)  
Public Health Department  
The Greater Chennai Corporation  
Ripon Buildings  
Park Town, Chennai 600 003



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5.M/s.Sri Periyasamy Flour Mill  
Rep. by its Proprietrix  
M.Chitra Devi Priya  
No.16/78, Kappalpolu street  
Old Washermenpet  
Chennai 600 021

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 4 herein to conduct a thorough investigation into the representations dated 22.10.2020 and 01.04.2021 of the petitioner herein already pending before the respondents 1 to 4 may be taken appropriate stern action to lock and seal the unauthorised flour mill running in the name of “Sri Periyasamy Flour Mill” at No.16/78, Kappalpolu street, Old Washermenpet, Chennai 600021, the 5<sup>th</sup> respondent herein, within the limits of the 49<sup>th</sup> Ward, Zone-V, of the Greater Chennai Corporation, within the time fixed by this Court.

For Petitioner : Mr.Ramana Reddy

For Respondents : Mrs.P.T.Ramadevi for R1 to R4

Mr.D.Saravanan and

Mr.S.Aravind Raj for R5



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## **ORDER**

The Writ Petition is filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 4 herein to conduct a thorough investigation into the representations dated 22.10.2020 and 01.04.2021 of the petitioner herein already pending before the respondents 1 to 4 may be taken appropriate stern action to lock and seal the unauthorised flour mill running in the name of “Sri Periyasamy Flour Mill” at No.16/78, Kappalpolu street, Old Washermenpet, Chennai 600021, the 5<sup>th</sup> respondent herein, within the limits of the 49<sup>th</sup> Ward, Zone-V, of the Greater Chennai Corporation, within the time fixed by this Court.

2.The case of the petitioner is that one M.Chitra Devi, the proprietrix of “Sri Periyasamy Flour Mill”, the 5<sup>th</sup> respondent herein has occupied the ground floor as a tenant under the opposite house property owner and she has installed five flour grinding machines in the said premises without proper licence in a residential locality, out of the said



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flour mill, sound and odour emanating continuously from morning 8.00 a.m. to 10.00 p.m. which is unbearable in nature and creating continuous strong pungent odour, causing irritation not only to the eyes but also creates suffocation while breathing. Hence, the petitioner has sent a representation to the respondents but the same has not been considered yet. Hence the petition.

3.Learned counsel appearing for the Greater Chennai Corporation would submit that the very licence to run the flour mill has been rejected on the ground that the electric motors are erected without having sufficient space, TNPCB certificate not produced, no improvement measures have occurred in the building and no stability certificate was produced, by the Greater Chennai Corporation vide its refusal order dated 08.06.2022. Accordingly, prays for appropriate orders.

4.Such view of the matter, when the licence to run the flour mill itself refused by the authorities, if there is any further nuisance from the 5<sup>th</sup> respondent flour mill, it is open to the petitioner to proceed as per law.



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5. With the above observation, this Writ Petition stands closed.

Consequently, the connected miscellaneous petition is also closed. No costs.

05.12.2022

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Index : yes / no

Internet : yes / no

Speaking / Non speaking

To

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N.SATHISH KUMAR, J.

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