



W.P.No.17141 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2022

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THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.17141 of 2022

P.Ponussamy

.. Petitioner

-VS-

1.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai,
Guindy, Chennai – 600 032.

2.District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot No:815, SIDCO Industrial Estate,
Kalyanasundaram Road,
Chennimalai Road,
Erode – 638 009.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 01.06.2022 and to treat the same as application for renewal and name change of consent from the name "M/s.Vinayaga Dyeing" to "M/s.Radiaant Textile Process" to petition premises at Survey No.287/1, Suriyampalayam Village, Erode Taluk, Erode District and process the same as per law within a time frame.



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W.P.No.17141 of 2022

For Petitioner :: Mr.T.P.Manoharan,
Senior Counsel for
Mr.S.Kamalesh Kannan

For Respondents :: Mr.M.R.Gokul Krishnan,
for Mrs.Shanmugavalli Sekar,
Standing Counsel for TNPCB

ORDER

(Order of the Court was made by T.RAJA, J.)
Mr.P.Ponussamy, the petitioner herein has filed this petition for issuance of a writ of Mandamus seeking a direction to the respondents to consider his representation dated 01.06.2022 and to treat the same as application for renewal and name change of consent from the name "M/s.Vinayaga Dyeing" to "M/s.Radiaant Textile Process" to petition premises, situated at Survey No.287/1, Suriyampalayam Village, Erode Taluk, Erode District and process the same as per law within a time frame.

2.Learned senior counsel appearing for the petitioner submitted that since the petitioner's erstwhile business with one 'M/s.Vinayaga Dyeing' has come to an end, the petitioner seeks to continue the business with his new partners in the name of 'M/s.Radiaant Textile Process'. Therefore, the petitioner given a representation dated 01.06.2022 to the respondents to treat the same as application for



W.P.No.17141 of 2022

renewal and name change of consent from the name "M/s.Vinayaga Dyeing" to "M/s.Radiaant Textile Process" to his premises, situated at Survey No.287/1, Suriyampalayam Village, Erode Taluk, Erode District and to process the same as per law within a time frame. As there was no response, the petitioner is before this Court seeking the above prayer.

3.Learned Standing Counsel appearing for the respondents sought time to get instructions.

4.Heard both sides.

5.It could be seen from the Proceedings dated 15.10.1998 and 21.09.2015 that the petitioner has got Consent Orders for the existing/new operation of the plant under Section 21 of the Air (Prevention and Control of Pollution) Act 1981 as amended, which are valid for the period 31st day of March/October 1998 and 31st day of March 2016 from the Tamil Nadu Pollution Control Board, the respondents herein. Therefore, we are inclined to issue directions to



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W.P.No.17141 of 2022

T.RAJA, J.
and
K.KUMARESH BABU,J.

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the respondents to consider the petitioner's representation.
Accordingly, the respondents are directed to consider the representation dated 01.06.2022 given by the petitioner and dispose of the same, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. With the above direction, this writ petition stands disposed of. However, there is no order as to costs.

(T.R.,J.) (K.B.,J.)
06.07.2022

vga

To

- 1.The Chairman,
Tamil Nadu Pollution Control Board,
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