



W.P.No.6834 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.6834 of 2023

and

W.M.P.No.6939 of 2023

M/s. Sri Krishna Constructions
Represented by its Partner
Mr.K.Sampath
S/o. Krishnan
Athurai, Chetpet Taluk,
Tiruvannamalai District.

... Petitioner

Vs.

1. The District Collector
Villupuram District.
2. The Tahsildar,
Melmalayar Circle,
Villupuram District.
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Senji, Villupuram District.
4. The Sub-Inspector of Police,
Avalurpettai Police Station,
Villupuram District.

...Respondent



W.P.No.6834 of 2023

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, to direct the respondents herein to provide police protection to the petitioner to operate the industrial plant situated in S.F.No.90/4B Sankilikuppam Village, Melmalayanoor Taluk, Villupuram District and the respondents 3 and 4 to provide police protection in case of any obstruction.

For Petitioner : M/s.A.L.Ganthimathi
for L.Palani Muthu
For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The Writ Petition has been filed to direct the respondents herein to provide police protection to the petitioner to operate the industrial plant situated in S.F.No.90/4B Sankilikuppam Village, Melmalayanoor Taluk, Villupuram District and the respondents 3 and 4 to provide police protection in case of any obstruction.

2.The learned counsel appearing for the petitioner submitted that petitioner firm is a Class I contractor under the Tamil Nadu Government. Petitioner started a bitumen heating and mixing plant (Tar Production Plant).



W.P.No.6834 of 2023

The plant was constructed at S.F.No.90/4B, Sankilikuppan Village, Melmalayanoor Taluk, Villupuram District. It is also submitted that petitioner applied for consent and the District Environment Engineer, Tamil Nadu Pollution Control Board, Villupuram on 08.11.2022 has issued consent orders under the Water (Prevention and Control of Pollution) Act, 1982. However, few persons namely, Kanniyappan, Manikandan, Durairaj, Yeshodaran, Thirumalai Vidivelli started to interfere with the peaceful operation of the plant by posing constant physical obstruction to its day to day activities. Thereafter, on 07.02.2023, a peace committee meeting was held and was suggested that certain precautionary measures should be adopted by the petitioner. Petitioner firm had undertaken that they would comply with the decision in the peace committee meeting. Even thereafter, obstruction continues, necessitating the filing of the petition.

3. The learned Government Advocate (Crl. Side) submitted that, though the aforesaid six persons had participated in the peace committee meeting, they have not signed the decision taken in the peace committee meeting. Peace Committee Meeting is still not finally concluded. The general public are opposing that the plant will cause health hazard.



W.P.No.6834 of 2023

4. It is seen from the submissions that petitioner gave a representation dated 14.02.2023 to the respondents with regard to running of petitioner's Tar Production Plant. Records perused shows that petitioner was granted permission by Tamil Nadu Pollution Control Board, Villupuram and the consent is valid till 31.03.2026. Therefore, this Court directs the respondents to pass appropriate orders in the light of the permission obtained by the petitioner firm from Tamil Nadu Pollution Control Board, Villupuram and in the light of the precautionary measures taken by the petitioner firm, within a period of four weeks from the date of receipt of copy of the order, in the manner known to law.

5. With the above observations and directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

07.03.2023

Index :Yes/No
Internet:Yes/No
Sma



W.P.No.6834 of 2023

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4. The Sub-Inspector of Police,
Avalurpettai Police Station,
Villupuram District.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



W.P.No.6834 of 2023

G.CHANDRASEKHARAN, J.

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W.P. No.6834 of 2023

07.03.2023