



W.P. No. 12504 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2023

CORAM

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

W.P. No. 12504 of 2023

&

W.M.P. No. 12334 of 2023

S. Deivasigamani

..Petitioner

Vs.

1. The District Collector,
Office of the District Collectorate,
Palladam Road, Tiruppur District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Dharapuram, Tiruppur District.
3. The Superintending Engineer,
Office of the Superintending
Engineer (TNEB),
Palladam, Tiruppur District.
4. Pradeep Kumar
5. Srividhya

..Respondents



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Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing respondents 1 to 3 herein to take appropriate action against respondents 4 & 5 from illegal functioning of poultry/breeding farm in Survey No.102/1, 102/2A, 104/1, 104/2, 139/1A, 104/1B, 104/2A, 104/2C, 138, 139, Chinnakkampalayam Village, Dharapuram Taluk, Tirupur based on the representation of the petitioner dated 30.03.2023.

For Petitioner :: Mr.P. Saravana Sowmiyan

For Respondents :: Mr.P. Muthukumar,
State Government Pleader for
R1 to R3

ORDER

S. VAIDYANATHAN,J.

AND

R. KALAIMATHI,J.

The present writ petition has been filed for issue of a Writ of Mandamus directing respondents 1 to 3 herein to take appropriate action against respondents 4 & 5 from illegal functioning of poultry/breeding farm



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in Survey No.102/1, 102/2A, 104/1, 104/2, 139/1A, 104/1B, 104/2A, 104/2C, 138, 139, Chinnakkampalayam Village, Dharapuram Taluk, Tirupur based on the representation of the petitioner dated 30.03.2023.

2. Since we are not passing any adverse orders against respondents 4 & 5, without notice to respondents 4 & 5, the writ petition is disposed of.

3. The case of the petitioner is that the 4th and 5th respondents, who are engaged in the business of running poultry farms, in Chinnakkampalayam Village, Tiruppur, are not resorting to proper disposal of waste from poultry farms thereby causing serious health hazards to the nearby residents and in spite of resolution passed by the residents in the presence of revenue authorities and the private respondents, they have further constructed breeding poultry farms in Survey Nos. 102/1, 102/2A, 104/1, 104/2, 139/1A, 104/1B, 104/2A, 104/2C, 138, 139, Chinnakkampalayam Village, Dharapuram Taluk, Tirupur. According to the petitioner, the very functioning of the poultry farms is illegal and that no action has been taken by the revenue officials as well as the District



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Collector in spite of representations given, more so, the representation dated 30.03.2023. Hence, the present writ petition.

4. We do not want to go into the various averments mentioned in the affidavit filed in support of the writ petition. Since the representation of the petitioner dated 30.03.2023 is pending with the 1st respondent/District Collector, Tiruppur, after hearing the 2nd and 3rd respondents as well as Tamil Nadu Pollution Control Board, Tiruppur and obtaining reports from the authorities concerned, besides hearing 4th and 5th respondents, the 1st respondent is expected to pass appropriate orders.

5. The 2nd respondent is expected to file a report to the first respondent as to whether any permission/licence has been obtained by private respondents from appropriate authorities for running poultry farms. Though Tamil Nadu Pollution Control Board is not a party to the writ petition, it is expected to do the needful along with 2nd and 3rd respondents with regard to the grievance expressed by the petitioner and submit a report within a period of one month from the date of receipt of a copy of this order



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in order to enable the 1st respondent to pass appropriate orders within a period of one month thereafter.

5. The writ petition is disposed of with the above directions. No costs. Connected W.M.P. is closed.

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(S.V.N.J.) (R.K.M.J.)
25.04.2023

To

1. The District Collector,
Office of the District Collectorate,
Palladam Road, Tiruppur District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Dharapuram, Tiruppur District.

S. VAIDYANATHAN,J.

AND

R. KALAIMATHI,J.



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nv

3. The Superintending Engineer,
Office of the Superintending
Engineer (TNEB),
Palladam, Tiruppur District.
4. The District Environmental
Engineer,
Tamil Nadu Pollution Control
Board, Tiruppur.

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