



W.P.No.12954 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2023

CORAM :

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HON'BLE MRS.JUSTICE R.KALAIMATHI

W.P.No.12954 of 2023

M.Eswaran

.. Petitioner

Vs

- 1.The Director,
Industrial Safety and Health,
Guindy, Chennai – 600 032.
- 2.The Joint Director (Addl. Charge),
Industrial Safety and Health,
No.27/2A2, Gandhi Road,
Near Income Tax Office,
Salem – 636 007.
- 3.The Chairman,
Tamilnadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai – 600 032.
- 4.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
No.1/276, Meyyanur Main Road,
Salem – 636 004.



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5.The Managing Director,
M/s.Arthanari Loom Centre (Textiles) Limited,
S.F.No.219/2, 216/3, 220/2, Kodlankadu,
78, Sababathi Street,
Kalarampatti,
Erumapalayam (P.O)
Salem-636 015.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Joint Director (Additional Charge), Industrial Safety and Health, No.27/2A2, Gandhi Road, Near Income Tax Office, Salem-636 007, the second respondent herein to consider the representation of the petitioner dated 19.10.2022 made to the second respondent with a request to cancel the license granted to the 5th respondent not allow to run the factory, seal the factory and to take appropriate action on the 5th respondent factory and pass appropriate suitable orders on the said representation by giving reasonable opportunity of personal hearing to the petitioner and the 5th respondent.

For the Petitioner : Mr.S.Srinivasan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 4

ORDER

(Order of the court was made by *S.Vaidyanathan, J.*)

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing the second respondent to cancel the license granted to the fifth respondent and not to allow the fifth



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respondent to run the factory, seal the factory and also to take appropriate action against the fifth respondent by considering the representation of the petitioner dated 19.10.2022.

2. Today when the writ petition is taken up for hearing, Mr.P.Muthukumar, learned State Government Pleader, submitted that a show cause notice has already been served on the fifth respondent factory and the petitioner has also been informed about the enquiry that is going to be conducted by way of a communication dated 6.4.2023, which was also received by the petitioner.

3. Learned State Government Pleader would further submit that four months' time may be granted to the respondent authorities to conclude the enquiry and after enquiry, if any violation is found, the respondent authorities would take suitable action qua the fifth respondent factory in accordance with law.

4. Since an enquiry has already been directed to be conducted



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qua the allegations levelled against the fifth respondent factory, recording the submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to conclude the enquiry and take a decision, after hearing all concerned, within a period of four months from the date of receipt of a copy of this order. It is needless to mention that without any license no industry would be permitted to run. Further, the petitioner shall participate in the enquiry, as he is the complainant.

There will be no order as to costs.

(S.V.N., J.) (R.K.M., J.)
26.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

WEB COPY

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