



WP No.17023 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

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A.M.Munusamy

: Petitioner

versus

1.The District Collector, Erode-11.

2.The District Pollution Control Engineer
Tamil Nadu Pollution Control Board
Plot No.J.2(W)
SIPCOT Industrial Development Centre
Perunthurai, Erode District-638 052.

3.The Assistant Engineer
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.
Erode Distribution Division (West)
Sithodu, Erode District-638 102.

4.The Special Officer
Periyapuliyur Village Panchayat
Block Development Officer
Bhavani Erode District.

5.Padmavathi

: Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to take appropriate action in respect of the unauthorized building housing factory in Agricultural land in S.No.770/4 in Peiryapuliyur Village Bhavani Taluk, Erode District belonging to the 5th respondent and protect the agricultural lands of the villagers of Periyapuliyur from getting polluted by the effluences of the factory run by the 5th respondent at S.No.770/4 in Periyapuliyur Village, Bhavani Taluk, Erode District.

For the Petitioner : Mr.S.Senthil Nathan

For the Respondents : Mrs.R.Anitha, Spl.G.P.,
for respondent No.1

Ms.Shanmugavalli Sekar,
for respondent No.2

Mr.I.Syed Sibghatulla,
for respondent No.3

Mr.J.Pothiraj,
for respondent No.4

Mr.T.M.Naveen,
for respondent No.5



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ORDER

(Made by the Hon'ble Chief Justice)

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We have heard Mr.S.Senthil Nathan, learned counsel for the petitioner, Mrs.R.Anitha, learned Special Government Pleader, for the first respondent, Ms.Shanmugavalli Sekar, learned counsel for the second respondent, Mr.I.Syed Sibghatulla, learned counsel for the third respondent, Mr.J.Pothiraj, learned counsel for the fourth respondent and Mr.T.M.Naveen, learned counsel for the fifth respondent.

2. Learned counsel for the petitioner submits that the fifth respondent is unauthorisedly housing factory in an agricultural land.

3. Learned counsel for the Tamil Nadu Pollution Control Board/ second respondent, submits that the industry is not running on the subject land.

4. The fourth respondent/Special Officer, Bhavani, Erode District has filed a counter-affidavit stating that immediate steps are taken and the fifth respondent was directed not to operate factory in the land



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without obtaining permission of the Tamil Nadu Pollution Control Board.

The factory is now closed.

5. In view of the said statement, apprehension of the petitioner stands redressed. The writ petition as such is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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