



W.P.No.23571 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU

AND

THE HONOURABLE Mrs.JUSTICE N.MALA

W.P.No.25371 of 2023

Raju

.... Petitioner

vs

- 1.The District Collector,
O/o District Collector's Office,
Kallakurichi.
2. District Environmental Engineer, (DEE)
Tamilnadu Pollution Control Board,
Villupuram District Collector Office campus,
Villupuram.
3. The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation and Distribution Corporation,
Anna Nagar,
Kallakurichi.
4. The Assistant Executive Engineer,
Tamil Nadu Electricity Generation and Distribution Corporation,
Sadaiyampattu,
Kallakurichi Taluk and District.
5. The Assistant Engineer,
Tamil Nadu Electricity Generation and Distribution Corporation,



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Sadaiyampattu,
Kallakurichi Taluk and District.

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6. The Block Development Officer,
O/o Block Development Officer,
Chinnasalem - 606 201
Kallakurichi District.

7. Jayapal,
S/o Pandurangan

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to take further appropriate action in Lr.No.0385/DEE/TNPCB/VPM/ COMPLAINT/2023 dated 13.07.2023 against 7th respondent for constructing the rice bran mill which is situated at Plot Nos.3 and 4, TMS Nagar, Sadaiyampattu bus stand near Kuthiraisanthal Post, Kallakurichi Taluk and District and direct the respondents 3 to 5 not to provide the electricity connection to the 7th respondent for constructing the rice bran mill at Plot No.3 and 4, TMS Nagar, Sadaiyampattu Bus stand near Kuthiraisanthal Post, Kallakurichi Taluk and District within stipulated time may be fixed by this Court.

For Petitioner : Mr.M.Senthilikumar

For Respondents : Mr.E.Vijayanand,
Additional Government Pleader for R1
Mrs.Shanmugavallisekar
Standing Counsel for R2



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Ms.Daniel Mary,
Standing Counsel for R3 to R5
Dr.S.Surya,
Additional Government Pleader(CS)
for R6

ORDER

(The Order of the Court was made by J.Nisha Banu,J)

The above Writ Petition has been filed to issue a Writ of Mandamus directing the 2nd respondent to take further appropriate action pursuant to Lr.No.0385/DEE/TNPCB/VPM/ COMPLAINT/2023 dated 13.07.2023 against 7th respondent for constructing the rice bran mill which is situated at Plot Nos.3 and 4, TMS Nagar, Sadaiyampattu bus stand near Kuthiraisanthal Post, Kallakurichi Taluk and District and direct the respondents 3 to 5 not to provide the electricity connection to the 7th respondent for constructing the rice bran mill at Plot No.3 and 4, TMS Nagar, Sadaiyampattu Bus stand near Kuthiraisanthal Post, Kallakurichi Taluk and District within the stipulated time as may be fixed by this Court.

2. Today, when the matter is taken up, the learned Standing Counsel for the Pollution Control Board has filed a letter/report dated 11.09.2023 stating the Unit was inspected on 08.09.2023 and that the Unit is not in operation. It was further found that the unit has established its hulling of paddy without obtaining consent



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of the Tamil Nadu Pollution Control Board and as such a show cause notice has been issued in proceedings dated 08.09.2023, for initiating action after receipt of reply.

3. The report/letter dated 11.09.2023 of the 2nd respondent-District Environmental Engineer, Tamil Nadu Pollution Control Board, would go to show that action has been taken as against 7th respondent by issuing show cause notice by way of proceedings dated 08.09.2023 under both water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. Recording the same, this writ petition is closed with a direction to the respondent-authorities to take further enforcement action as against the 7th respondent and complete the same in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

(J.N.B.,J.) (N.M.,J.)
12.09.2023

Index:Yes/No
Speaking/Non-speaking order
vsi/nvsri



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