



W.P. No. 34334 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

W.P. No. 34334 of 2023

T.Muthusamy

... Petitioner

-VS-

1. The District Collector,
The District Collectorate,
Nallipalayam Post,
Namakkal,
Namakkal District– 637 003.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Nallipalayam Post,
Namakkal,
Namakkal District – 637 003.
3. The Deputy Director,
District Veterinary Hospital,
Trichy Main Road,
Aandavar Nagar East,
Namakkal District – 637 001.
4. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Paramaththi Road,
Thiruchengode Taluk & Post,
Namakkal District – 637 211.
5. The Tahsildar,
Office of the Tahsildar,
Thiruchengode,
Namakkal District – 637 210.



W.P. No. 34334 of 2023

6. The Block Development Officer,
Office of Block Development Officer,
Thiruchengode,
Namakkal District – 637 210.

7. The President,
A.Irayamangalam Village Panchayat Office,
A.Irayamangalam Post,
Thiruchengode Taluk,
Namakkal District.

8. Sivanandham ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Seventh Respondent to implement the proceedings in Na. Ka. No. 2/2023 dated /10/2023 on the file of the Seventh Respondent and direct to remove the Eighth Respondent pig farm in A.Irayasmangalam, Village and Post, Thiruchengode Taluk, Namakkal District within stipulated time may fixed by this Court.

For Petitioner : Mr. R.Murugabharathi

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate (for R1 & R3 to R5)

Mr. S.Rajkumar,
Additional Public Prosecutor (for R2)

Mr. T.Muthusamy (for R6 & R7)

Mr. M.Velmurugan (for R8)



W.P. No. 34334 of 2023

ORDER

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Heard Mr. R.Murugabharathi, Learned Counsel for the Petitioner, Mr. S.J.Mohamed Sathik, Learned Government Advocate, who takes notice for the First and Third to Fifth Respondents, Mr. S.Rajkumar, Learned Additional Public Prosecutor, who takes notice for the Second Respondent, Mr. T.Muthusamy, Learned Counsel, who takes notice for the Sixth and Seventh Respondents, and Mr. M.Velmurugan, Learned Counsel, who takes notice for the Eighth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had earlier made a representation dated 08.07.2023 complaining about the running of piggery by the Eighth Respondent without obtaining necessary license under the Tamil Nadu Panchayats Rules (Licensing of Pigs and Destruction of Unlicensed or Infected Pigs) Rules, 1996 (hereinafter referred to as 'the Rules' for short), and this Court by order dated 22.08.2023 in the Writ Petition in W.P. No. 24644 of 2023 filed by him had directed the said representation to be disposed.



W.P. No. 34334 of 2023

3. In furtherance to the said order, the Seventh Respondent by Proceedings in Na. Ka. No. 2/2023-24 dated 10.10.2023 directed the removal of that piggery as the requisite licence under the Rules had not been obtained. This Writ Petition has been filed seeking to implement the said order.

4. The wife of the Eighth Respondent, viz., Malligam, has filed the Writ Petition in W.P. No. 34251 of 2023 before this Court seeking a direction to consider her representation for grant of licence for running of piggery under the Rules and this Court by order dated 14.12.2023 (today) has directed to examine that representation and pass appropriate orders within a specified time frame.

5. In the aforesaid circumstances, the Proceedings in Na. Ka. No. 2/2023-24 dated 10.10.2023 passed by the Seventh Respondent, which is sought to be implemented, shall be kept in abeyance for the time being and depending upon the outcome of the action taken in furtherance to the order dated 14.12.2023 in W.P. No. 34251 of 2023, the parties may determine their further course of action in accordance with law.



W.P. No. 34334 of 2023

In the result, the Writ Petition is disposed on the aforesaid terms. No

costs.

14.12.2023

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 31.05.2024.

To

1. The District Collector,
The District Collectorate,
Nallipalayam Post,
Namakkal,
Namakkal District– 637 003.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Nallipalayam Post,
Namakkal,
Namakkal District – 637 003.
3. The Deputy Director,
District Veterinary Hospital,
Trichy Main Road,
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W.P. No. 34334 of 2023

P.D. AUDIKESAVALU, J.

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Office of Block Development Officer,
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W.P. No. 34334 of 2023

14.12.2023