



W.P.(MD)No.6934 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.6934 of 2019 and
WMP(MD) No.5527 of 2019

M/s.Aachi Industries,
Rep by its Proprietor,
M.Govindaraj

... Petitioner

Vs

- 1.The Secretary to Government of Tamil Nadu,
Public Works (R2) Department,
St. Fort George,
Chennai-600 009.
- 2.The Chairman,
Tamil Nadu Pollution Control Board,
Guindy, Chennai-600 032.
- 3.The Chief Engineer,
Public Works Department,
Water Research Organization,
State Ground & Surface Water Resources Data Centre,
Taramani,
Chennai-600 113.



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4.The District Collector,
Virudhunagar District, Virudhunagar.

5.The Executive Engineer,
District Pollution Control Board,
Virudhunagar District, Virudhunagar.

6.The Superintending Engineer,
Tamil Nadu Electricity Board,
TANGEDCO,
Virudhunagar District.

7.The Assistant Engineer(Rural),
Tamil Nadu Electricity Board(Edc),
TANGEDCO,
Thalaivaipuram, Rajapalayam Tk.,
Virudhunagar District.

8.The Tahsildar,
Tahsildar Office,
Rajapalayam Taluk,
Virudhunagar District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents 1 to 8 to consider the petitioner representation dated 27.02.2019 and to give electricity connection for maintenance the machineries kept in Aachi Industries, situated at No.142, Survey No. 771/1A, Ilanthiraikondan Salai, Chettiyarpatti Post, Thalavaipuram, Rajapalayam Taluk, Virudhunagar District.



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For Petitioner : Mr.M.Venkatesan
For R1, R3 & R4 : Mr.J.K.Jayaseelan
Government Advocate
For R2 & R5 : Mr.Vijayakumar Natarajan
For R6 & R7 : Mr.S.Deenadayalan
Standing Counsel

ORDER

The petitioner, who is running a packaged drinking water Company in the name and style of “M/s.Aachi Industries” in S.No./a in Door No.142, Ilanthiraikondan Salai, Chettiyarpatti, Thalavaipuram, Rajapalayam Taluk, Virudhunagar District has approached this Court for a Mandamus directing the respondents 1 to 8 to consider the petitioner's representation dated 27.02.2019 and to provide electricity service connection for the maintenance of the machineries kept in his Industry.

2.Today(05.12.2023), when this writ petition is taken up for hearing, the learned Standing Counsel appearing for the TANGEDCO submits that as per the directions of the Tamil Nadu



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Pollution Control Board, the Tamil Nadu Electricity Board has refrained from granting any electricity service connection to the petitioner's company.

3.The learned counsel appearing for the Tamil Nadu Pollution Control Board submits that the petitioner's company is doing packaged drinking water business without obtaining necessary approval from the Tamil Nadu Pollution Control Board, as per the Water (Prevention and Control of Pollution) Act, 1974. Therefore, a show cause notice was issued to the petitioner on 27.03.2014. However, the petitioner has not responded to the show cause notice. Therefore, the Environmental Engineer, Tamil Nadu Pollution Control Board had recommended for a closure direction vide Lr.No.DEE/TNPCB/VNR-Packaged Drinking Water units/2014, dated 01.04.2014.



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4.In view of the specific stand taken by the respondents that the petitioner has run the Company without obtaining necessary No Objection Certificate from the Tamil Nadu Pollution Control Board as required under the Water (Prevention and Control of Pollution) Act, 1974 and the orders passed by the District Environmental Officer, this Court is not inclined to entertain this writ petition.

5.Accordingly, this writ petition is dismissed with a liberty to the petitioner to approach the Tamil Nadu Pollution Control Board to obtain necessary permission and thereafter shall apply before the Tamil Nadu Electricity Board. In the event, if any application is filed by the petitioner, the same shall be considered by the respective respondents as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is closed.

05.12.2023

NCC : Yes / No.
Index : Yes / No.



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Internet : Yes / No.

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