



W.P(MD)No.16977 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.16977 of 2023
and
W.M.P(MD)Nos.14205 to 14207 of 2023**

1. T.Chandra Sekar
2. R.Sony
3. D.Udhayakumar
4. D.Elango

... Petitioners

-VS-

1. The Central Empowered Committee,
2nd Floor, Chanakkiya Bhavan,
Chankkiyapuri,
New Delhi-10 021.

2. The State of Tamilnadu,
Rep. by its Secretary to Government,
Environment and Forest Department,
Secretariat,
Chennai-600 009.

3. The Chairman,
Tamilnadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai-600 032.

4. The District Collector,
Kanyakumari District,
Nagercoil.



W.P(MD)No.16977 of 2023

5. The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Kanyakumari District,
Nagercoil.

6. The Joint Director,
Medical and Public Health Service,
Nagercoil.

7. The Assistant Director,
District Town and Country Planning,
Nagercoil,
Kanyakumari District.

8. The Executive Officer,
Mandaikadu Town Panchayat,
Kanyakumari District.

9. Stephen

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned technical approval granted by the 7th respondent in favour of 9th respondent dated 12.12.2022 and quash the same as illegal and consequently direct the respondents 1 to 8 not to permit the 9th respondent to locate the Sawmill at S.Nos.485/5A, 485/6, 485/6B, 485/5A2 and 485/28, 485/28B situated at Manavalakurichi Village, Mandaikadu Town Panchayat, Kanyakumari District or any other residential area within the Mandaikadu Town Panchayat.

For Petitioners	: Mr.T.Arul
For R1, R2 & R4 to R8	: Mr.P.Thilakkumar
	Government Pleader
For R3 & R5	: Mrs.Vijayakumari Natarajan
For R9	: Mr.B.Muneeswaran



W.P(MD)No.16977 of 2023

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

WEB COPY

Challenging the technical approval granted to the 9th respondent for establishing a saw mill by impugned order dated 12.12.2022 passed by the 7th respondent, the petitioners have filed this writ petition to quash the same with a direction to the respondents 1 to 8 not to permit the 9th respondent to locate the Sawmill at S.Nos.485/5A, 485/6, 485/6B, 485/5A2 and 485/28, 485/28B situated at Manavalakurichi Village, Mandaikadu Town Panchayat, Kanyakumari District or any other residential area within the Mandaikadu Town Panchayat.

2. The grievance of the petitioners is that the proposed saw mill is likely to cause pollution since the same is located in a residential area. Therefore, the petitioners seek to quash the technical approval granted for establishing saw mill by the 9th respondent.

3. The learned counsel appearing for the 9th respondent submits that the 9th respondent has already applied before the Tamilnadu Pollution Control Board for obtaining consent for establishing the saw mill in the aforesaid place. The learned counsel also undertakes that the 9th respondent will not proceed further for



W.P(MD)No.16977 of 2023

establishing/operating saw mill till such time he obtains consent from the Tamilnadu Pollution Control Board as well as the local body.

4. Recording the said submission made by the counsel for the 9th respondent, this Writ Petition is closed. No costs. This order shall not stand in the way of the Tamilnadu Pollution Control Board as well as the local body to independently apply their mind to process the application stated to have been filed by the 9th respondent for giving consent to establish/consent to operate the saw mill. Connected miscellaneous petitions are closed.

[S.S.S.R, J.] [D.B.C., J.]
04.08.2023

Index : Yes / No
Neutral Citation : Yes / No
bala

To

1. The Central Empowered Committee,
2nd Floor, Chanakkiya Bhavan,
Chankkiyapuri, New Delhi-10 021.

2. The Secretary to Government,
State of Tamilnadu,
Environment and Forest Department,
Secretariat, Chennai-600 009.

3. The Chairman,
Tamilnadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai-600 032.



W.P(MD)No.16977 of 2023

4. The District Collector,
Kanyakumari District,
Nagercoil.

5. The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Kanyakumari District,
Nagercoil.

6. The Joint Director,
Medical and Public Health Service,
Nagercoil.

7. The Assistant Director,
District Town and Country Planning,
Nagercoil,
Kanyakumari District.

8. The Executive Officer,
Mandaikadu Town Panchayat,
Kanyakumari District.



WEB COPY



W.P(MD)No.16977 of 2023

S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

bala

W.P(MD)No.16977 of 2023

04.08.2023