



**W.P.(MD) No.27905 of 2022**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 21.06.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.27905 of 2022**

1.R.Raja

2.K.Parthiban

3.P.Ramalingam

4.N.Chinnasamy

5.N.Thangavel

6.R.Nachimuthu

7.A.P.Duraisamy

8.K.Rajamani

... Petitioners

-vs-

1.The District Collector  
Karur District

2.The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
No.26, Ramakrishnapuram (West)  
Karur-639 001



**W.P.(MD) No.27905 of 2022**

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3.The Block Development Officer

K.Paramathy

Pugalur Taluk, Karur District

4.The President

The Panchayat Union of

Thennilai Melpagam

Pugalur Taluk

Karur District

5.The Executive Engineer

TANGEDCO

(Operations and Maintenance)

Gramiyam

Karur District

6.A.Chandrakumar

Managing Partner

Sathya Cements

SF No.443, Thennilai West Village

Pugalur Taluk, Karur District

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 3 and 4, namely, the Block Development Officer, K.Paramathy, Karur District and the President, Panchayat Union of Thennilai Melpagam to pass order to stop the illegal construction of Cement Factory by the sixth respondent herein in SF No.443, Thennilai West Village, Pugalur Taluk, Karur District and further direct the first respondent, namely, the District Collector, Karur District, to monitor the same.



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**W.P.(MD) No.27905 of 2022**

For Petitioners : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.P.Thilakkumar  
Government Pleader for R1, R3 & R4  
Ms.Vijayakumari Natarajan for R2  
Mr.S.Deenadhayan for R5  
Mr.K.Mahendran for R6

**ORDER**

**[Order of the Court was made by R.SUBRAMANIAN, J.]**

The petitioners seek a writ of mandamus forbearing the sixth respondent from establishing a Cement Blending Unit in Thennilai West Village, Pugalur Taluk, Karur District.

**2.** It is the complaint of the petitioners that the sixth respondent has not obtained required permissions for establishing such Unit and such activity would result in violation and also affect the agricultural operations in and around the area.

**3.** From the typed set of papers filed by the sixth respondent, we find that he has obtained no objection certificates from all the required authorities. Once no objection certificate and consent has been issued by the



**W.P.(MD) No.27905 of 2022**

Authorities, including the Department of Public Health and Preventive Medicine, the petitioners cannot seek a mandamus. However, in the light of the claim made, the District Collector, Karur District / first respondent is required to ensure that the sixth respondent does not start operating the Unit, without appropriate licences.

**4.** Accordingly, the writ petition is disposed of. No costs.

**[R.S.M., J.]**

**[L.V.G., J.]**

**21.06.2023**

(2/2)

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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To:

- 1.The District Collector,  
Karur District.
- 2.The Block Development Officer,  
K.Paramathy,  
Pugalur Taluk, Karur District.
- 3.The President,  
The Panchayat Union of  
Thennilai Melpagam,  
Pugalur Taluk,  
Karur District.



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**W.P.(MD) No.27905 of 2022**

**R.SUBRAMANIAN, J.**  
**and**  
**L.VICTORIA GOWRI, J.**

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**W.P.(MD) No.27905 of 2022**

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(2/2)