



W.P.No.882 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.882 of 2020

T.Rangasamy

.. Petitioner

Vs.

1. The District Collector
Namakkal District.
2. The Tahsildar
Tiruchengode District
Namakkal 637 211.
3. The President
Thokkavadi Panchayat
Tiruchengode
Namakkal 637 209.
4. The Assistant Executive Engineer
Operation and Maintenance/TANGEDCO
SPB Colony, Pallipalayam
Mettur Electricity Distribution Circle
Tiruchengode, Namakkal.

5. M.Boopathi

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 4 to initiate appropriate legal action against the Power Loom run by the 5th respondent by sealing/removing the power loom machineries and electric motors installed at S.F.No.389/6, Door No.5/72, Kuchipalayam Village, Thokkavadi Panchayat, Tiruchengode, Namakkal District being a residential area classified as 'Grama Natham'.

For the Petitioner : Ms.N.Kavitha Rameshwar

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for Respondents 1 to 3

Mr.S.Kalaiselvan
for Respondent-4

Not ready in notice -
for Respondent-5

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.N.Kavitha Rameshwar, learned counsel for the petitioner, Mr.T.K.Saravanan, learned Government Advocate for the respondents 1 to 3 and Mr.S.Kalaiselvan, learned counsel for the fourth respondent.



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2. Learned counsel for the petitioner submits that the fifth respondent is running a power loom industry adjacent to the land of the petitioner without obtaining necessary permission as required under Section 160 of the Tamil Nadu Panchayats Act. The petitioner has given representation. No cognizance has been undertaken.

3. An affidavit is filed by the third respondent. Paragraph 7 of the affidavit states that the representation received from the petitioner would be placed before the Council and necessary action will be taken against the fifth respondent in case unauthorised power loom is run in the residential locality.

4. Learned counsel for the fifth respondent submits that the fifth respondent is not illegally running the power loom industry.

5. Be that as it may, the third respondent has assured that the representation of the petitioner will be placed before the Council for appropriate decision within three months from today.



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6. Naturally, the Council would also consider the stand of the fifth respondent before taking any decision on the representation of the petitioner.

7. In the light of that, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.1062 and 1063 of 2020 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

02.01.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J

(kpl)

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