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W.P.No.8593 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

**THE HON'BLE MR.JUSTICE S.S.SUNDAR
and
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.No.8593 of 2023
and W.M.P.No.8766 of 2023**

V.R.Raghunathan

...Petitioner

vs.

- 1.The Additional Chief Secretary to Government,
Ministry of Environment,
Climate & Forests Department,
Secretariat, Chennai – 9.
- 2.Member Secretary,
Tamil Nadu Pollution Board,
76, Mount Salai,
Guindy, Chennai – 600 032.
- 3.The Commissioner,
Greater Chennai Corporation,
Amma Maligai, Ripon Building Campus,
Chennai – 600 003.
- 4.District Collector,
Rajaji Salai,
Fourth Floor, 62, Beach Road,
George Town, Chennai – 600 001.
- 5.Kumbakonam Iyers Coffee,
Ref. By its Manager,
Door No.61, 12th Avenue,
Ashok Nagar, Chennai – 83.

...Respondents



Prayer in: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct 1st to 4th respondent to stop the factory of the 5th respondent from functioning.

For Petitioner : Mr.N.Bulin Prabhu
For Respondents : Mr.R.Vigneswaran for R1 & R4
Government Advocate
Mrs.Shanmugavalli Sekar for R2
Standing Counsel
Mr.D.B.R.Prabhu for R3
Standing Counsel
Ms.S.Selvakumari for R5

ORDER

(Order of the Court was made by S.S.Sundar, J.)

The petitioner who is a Senior Citizen, filed the above Writ Petition alleging that the fifth respondent Coffee Roasting and Grinding Unit causes air pollution.

2.After submitting the representation to the official respondents, the petitioner has filed this Writ Petition for issuance of a Mandamus seeking for a direction to direct the respondents 1 to 4 respondent to stop the factory of the fifth respondent from functioning.

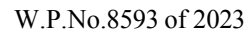


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3.This Court directed the Tamil Nadu Pollution Control Board to file a report as to the statutory requirements to permit continuance of Coffee Roasting and Grinding Unit in a residential area.

4.The learned standing counsel appearing for the second respondent submitted before this Court earlier that the fifth respondent has been advised to increase the height of chimney so that there will not be any smoke affecting the neighbourhood. It is now reported before this Court that the fifth respondent has increased the height of chimney. After an inspection, the second respondent has filed a report before this Court confirming that the fifth respondent has increased the height of chimney by two meters and that the height of the chimney is above the building line in the eastern side.

5.Recording the statement, this Court finds that the grievance of the petitioner is addressed. However, in case, the Tamil Nadu Pollution Control Board is fixing standard or norms for Coffee Roasting and Grinding Unit in a residential area, the same may be implemented strictly and this order will not stand in the way of taking further action as against the fifth respondent, if the said unit is not in conformity with the standard prescribed by the Pollution Control Board.



No costs. Consequently, connected miscellaneous petition is closed.

17.04.2024

To

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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

Pam

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