



WEB COPY



W.P.No.3349 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 3349 of 2024
and
W.M.P.No. 3609 of 2024

M/s.Star Bricks,
Represented by its Partner,
Mr.Hari L.B., Son of Balasubramaniam,
No.9/45, Ezhil Nagar,
Kodiyampalayam Nall Road,
Uthukuli, Tiruppur.

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Tiruppur.
- 2.The Executive Officer,
Town Panchayat Uthukuli,
Tiruppur District.
- 3.Kanmani
Wife of Gopal Raja,
The Member of 14 ward,
Karimedu, Kangeyam Road,
Uthukuli RS, Tiruppur District.



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4.A.Gopal Raja
Son of Arumugam,
Ex-Councillor,
Near Uthukuli Sarvodaya Sangam,
Karimedu, Kangeyam Road, Uthukuli RS,
Tiruppur District.

5.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Tiruppur North, Tiruppur District.
(R5-impleaded as per order dated 14.03.2024
in WMP.5975/2024 in WP.3349/2024 by PDAJ)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Office of the 2nd respondent vide his proceedings in Na.Ka.No.268/2023 dated 24.01.2024 and to quash the same as erroneous and arbitrary and consequentially to permit the enterprise to manufacture and run its business in the regular course in the name and style of "M/s.Star Bricks" at No.20/1, SF N.131/1B, Rakkiyapalayam Gramam, Naduthottam, Kangeyam Road, Uthukuli RS, Uthukuli Road, Tiruppur District.

For Petitioners : Mr.M.Guruprasad

For Respondents : Mr.C.Kathiravan
Special Government Pleader for R1
Mrs.M.Geetha Tamaraiselvan
Special Government Pleader for R2
Mr.K.Prabhakaran for R2 & R4



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ORDER

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2. The petitioner is engaged in manufacturing of fly ash bricks at No.20/1, SF.131/1B, Rakkiyalalayam Gramam, Naduthottam, Kangeyam Road, Uthangarai RS, Tiruppur District. It is manufacturing fly ash bricks, cement, hardware products and sale of building materials. The petitioner obtained Existence and Capacity certificate from District Industries Centre, Tiruppur. However, the petitioner did not obtain any license to manufacture the fly ash bricks and other products as mentioned in the affidavit. That apart, there are so many complaints received from the general public, alleging that the petitioner creates health hazard by emanating the ash and as such, it caused air pollution.

3. In view of the above, the petitioner is directed to submit an application seeking license for manufacturing fly ash bricks and other



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related products to the 2nd respondent within a period of one week from the date of receipt of a copy of this order with all required documents. On receipt of the same, the 2nd respondent is directed to consider the application and also considering the objections, if any, from general public and pass orders on merits and in accordance with law within a period of two weeks thereafter.

4. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

25.09.2024

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Internet : Yes/No

Index : Yes/No

Speaking order:Yes/No

Neutral Citation:Yes/No



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Tiruppur District.
- 3.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Tiruppur North, Tiruppur District.



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G.K.ILANTHIRAIYAN, J.

KKN

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