



W.P.No.8400 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

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City Medi Tech Industries Private Limited,
Rep. by its Managing Director Shri.R.Palanisamy,
5/128, Kooli Palayam, Bangal Thottam,
Vavipalayam PO, Perumallur Via,
Tiruppur – 641 666.

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate at Tiruppur,
Tiruppur District – 641 604.

2.The Superintendent of Police,
Superintendent Office,
Tiruppur, Tiruppur District.

3.The Inspector of Police,
Kundadam, Tiruppur,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
pleaded to issue a Writ of Mandamus, directing the respondents herein to
provide adequate and proper protection, including police protection to the
petitioner herein at the cost of the petitioner to enable the petitioner to
complete the balance work in order to make the authorized bio medical



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waste management facility of the petitioner at Survey Field No.1552/2, Suryanallur Village, Dharapuram Taluk, Tirupur District operational and functional.

For Petitioner : Ms.Hema Muralikrishnan

For Respondents : Mr.S.Udaya Kumar
Govt. Adv. (Crl.Side)

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents herein to provide adequate and proper protection, including police protection to the petitioner herein at the cost of the petitioner to enable the petitioner to complete the balance work in order to make the authorized bio medical waste management facility of the petitioner at Survey Field No.1552/2, Suryanallur Village, Dharapuram Taluk, Tirupur District operational and functional.

2. The case of the petitioner is that, the petitioner company is involved in bio medical waste management and the same is governed under the Biomedical Waste (Management and Handling) Rules, 2016. The lands were purchased and taken on lease by the petitioner for the purpose of establishing a bio medical waste treatment facility to treat and



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dispose bio medical wastes generated in hospitals, clinics, dispensaries and other medical establishments. The petitioner has obtained necessary permissions from the concerned authorities, including planning permission. Due to some false and vexatious allegations, there was a slight delay and when the construction was nearly 95% completed, the time granted for completing the construction got lapsed. Therefore, the petitioner sought for extension from Village Panchayat, Suryanallur and the same was refused. Aggrieved by the said order, the petitioner preferred a writ petition before this Court in W.P.No.33296 of 2017. This Court, by its order dated 12.03.2021, quashed the said order passed by the Village Panchayat and permitted the petitioner to take steps to file application to correct the deviation pointed by the Additional Director of Town and Country Planning. Further, this Court also directed the officials that if the petitioner complies with all defects, then the petitioner may be permitted to commence the operations. Despite the compliance and obtaining order from this Court, the petitioner is unable to proceed with works and the general public are threatening the petitioner to proceed with work. Therefore, in order to obtain police protection, the petitioner made a representation before the second respondent on



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22.03.2023, however the same was not considered. Hence, the petitioner has filed the above writ petition.

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3. Though very many grounds have been raised in the above writ petition, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues a direction to the second respondent to consider the petitioner's representation dated 22.03.2023 and take appropriate action in accordance with law.

4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the representation of the petitioner will be considered, after providing opportunity to the local people as well as the authorities, who are authorized to grant permission to the petitioner in the manner known to law.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 22.03.2023 on merits and take



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suitable action in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order, after providing opportunity to the local people and as well as the authorities, who are authorized to grant permission to the petitioner.

6. With the above direction, this Writ Petition is disposed of. No costs.

01.04.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC:Yes/No
sp

To

- 1.The District Collector,
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Superintendent Office,
Tiruppur, Tiruppur District.
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M.DHANDAPANI, J.

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4.The Public Prosecutor,
High Court of Madras.

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