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WP No.14461 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2024

CORAM:

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

AND

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

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1.M.Murugeshan

2.P.Venkatachalam

...Petitioners

versus

1.The District Collector,
Tirupur District-641 604.

2.The Director of Town and
Country Planning Authority,
CMDA Building,
Koyambedu, Chennai-600 107.

3.The Deputy Director,
District Town and Country
Planning Authority,
Kumaran Complex,
Tiruppur -641601.



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4.The Joint Director,
Agriculture Department,
Tiruppur, Tiruppur District.

5.The District Environment Engineer,
Tamilnadu Pollution Control Board,
Kumaram Complex,
Tiruppur.

6.The Block Development Officer,
Gudimangalam Panchayat Union,
Pedappampatti, Udumalpet Taluk,
Tiruppur District-642205.

7.The President,
Kosavampalayam Village Panchayat,
Kosavampalayam Village, Mohavanur Post,
Udumalpet Taluk,
Tiruppur District-642 202.

8.The Superintending Engineer,
TANGEDCO,
Tiruppur Main Road,
Udumalpet-642 126.

9.Palanisamy,

10.Subaramaniam

11.Ram Prakash

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
for the issuance of a writ of Mandamus, to direct the respondents 1 to 6 to



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take immediate action to prevent unauthorized development and conversion of agricultural lands for industrial use by the respondents 8 to 10 in respect of lands situated in S.F.No.3/3C4 and other adjacent agricultural lands covered under patta No.1312 in Kosavampalayam Village, Udumalpet Taluk, Tiruppur by considering the representation dated 05.02.2024 and 06.05.2024.

For the Petitioner	:Mr.R.Prabakar
For the Respondents	:Mr.Karhick Jaganath Government Advocate for respondents 1 to 4, 6 and 7 Ms.R.Saranya for Ms.Shanmugavalli Sekar for fifth respondent Mr.L. Jai Venkatesh Standing Counsel for 8th respondent

ORDER

(Order of the Court was made by *SATHYA NARAYANA PRASAD, J.*)

The petitioners have filed this writ petition to direct the respondents 1 to 6 to take immediate action to prevent unauthorized development and conversion of agricultural lands for industrial use by the respondents 8 to 10 in respect of lands situated in S.F.No.3/3C4 and other adjacent agricultural



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lands covered under patta No.1312 in Kosavampalayam Village, Udumalpet Taluk, Tiruppur by considering the representations dated 05.02.2024 and 06.05.2024.

2. The case of the petitioners is that they are doing agricultural activity in their respective lands and the said lands are primary agricultural zone. It is classified as over exploited area by the Ground Water Authority for the past 10 years. The private respondents, namely respondents 9 to 11 are converting the agricultural lands for setting up coir industry. The location of the proposed industry is amidst the agricultural lands and adjacent to the lands of the petitioners in the banks of the water body. Opposing the establishment of coir industry in non planned area, which prone to draw water for processing, the petitioners as well as other villagers sent representation dated 05.02.2024 to the authorities. The said representation was forwarded for appropriate action. However, no action was taken against unauthorized development, and the electricity connection are being attempted to be given to the proposed industry of the respondents 9 to 11. Since no action was taken, the petitioners along with other villagers sent



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another representation dated 06.05.2024 to the electricity authorities.

However, the said representation is still pending and no action has been taken. Hence, the petitioners have come forward with the present writ petition.

3. Learned Government pleader appearing for the first respondent, on written instructions from the Tahsildar, Udumalpet, dated 28.05.2021 submits that inspection has to be conducted by the Tamil Nadu Pollution Control Board along with revenue officials. Therefore, a direction may be given to the Tamil Nadu Pollution Control Board to conduct the inspection in the subject land along with the revenue officials.

4. Learned Standing Counsel for the Tamil Nadu Pollution Control Board/fifth respondent submits that four weeks time is required to conduct the inspection along with officials of the revenue Department.

5. Heard the learned counsel on either side and perused the materials available on record.



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6. In view of the above submission made by the learned Government Advocate as well as learned Standing Counsel, the first and fifth respondents are directed to conduct joint inspection along with their officials, within a period of four weeks from the date of receipt of a copy of this order. Based on the said inspection, the further course of action shall be taken, in accordance with law, within a period of eight weeks thereafter.

7. The writ petition stands disposed of with the above directions. There shall be no order as to costs. Consequently, WMP Nos.15735 and 15737 of 2024 are closed.

[J.S.N.P., J.] [V.L.N., J.]
29.05.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn/gya

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