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W.P.No.17653 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2024

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

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Siva Sakthi Spinners,
Rep. by its Managing Partner,
K.K.Shanmugam, Male/49 years,
S/o.Karuppana Gounder,
S.F.No.301/3, Perumugai Village,
Gobichettipalayam-Taluk,
Erode-District.

... Petitioner

-VS-

The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot No.J-2(W),
SIPCOT Industrial Growth Centre,
Perundurai-Taluk, Erode-District.
Respondent

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to issue consent order under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 for operating the Siva Sakthi Spinners Unit by processing the online application No.59763307 dated 16.05.2024 and considering the consent request letter dated 15.05.2024 based on the subsequent inspection dated 30.03.2024 made by the respondent and show cause notice dated 01.04.2024 and replied to the show cause notice dated 08.04.2024 and 15.04.2024.



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For Petitioner : Mr.D.Veerasekharan

For Respondent : Mrs.Shanmugavalli Sekar
Standing Counsel

ORDER

(By D.Krishnakumar,J.)

This Writ Petition has been filed for a direction to the respondent to issue consent order under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 for operating the Siva Sakthi Spinners Unit by processing the online application No.59763307 dated 16.05.2024 and considering the consent request letter dated 15.05.2024 based on the subsequent inspection dated 30.03.2024 made by the respondent and show cause notice dated 01.04.2024 and replied to the show cause notice dated 08.04.2024 and 15.04.2024.

2. Mrs.Shanmugavalli Sekar, learned Standing Counsel takes notice for the respondent. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. When the matter is taken up for hearing, it is represented by the learned Standing Counsel appearing for the respondent that the on-line application dated



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16.05.2024 is still pending with the respondent and if any direction is issued by this Court in this petition, that would be adhered to by the respondent. It is further represented that a reasonable time may be granted to the respondent for considering and passing appropriate orders on the application.

4. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to pass appropriate orders on the on-line application dated 16.05.2024 of the petitioner on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested/aggrieved parties, if any.

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

[D.K.K., J.,]

[K.B., J]

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Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

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AND
K.KUMARESH BABU,J.,
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