



WEB COPY



W.P.No.24306 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.24306 of 2024

V.Madhan

.. Petitioner

Vs

- 1.The District Collector,
Tiruvallur District,
Tiruvallur.
- 2.The Sub Collector,
Ponneri Division Office,
Tiruvallur District-601 204.
- 3.The Tahsildar,
Ponneri Taluk,
Tiruvallur District.
- 4.The Revenue Divisional Officer,
Ponneri Sub Division, Ponneri,
Tiruvallur District.
- 5.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy,
Chennai-600 032.



W.P.No.24306 of 2024

- 6.The Block Development Officer,
Chozhavaram Panchayat Union,
Chozhavaram, Tiruvallur District,
Chennai-600 067.
- 7.The Assistant Executive Engineer,
Pubic Works Department,
Ponneri,
Tiruvallur District.
- 8.The Inspector of Police,
E1 Police Station,
Ponneri, Commissionerate of Avadi,
Tiruvallur District.
- 9.Michael Sebastian
10.Sheela Anita

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 8 to consider the representations dated 11.5.2024, 19.7.2024, 22.7.2024 respectively and to initiate effective steps to prevent the business illegally run by the 9th and 10th respondents in the agricultural land thereby causing pollution and health issues to the public of Adhavan Nagar, Amoor Village, Ponneri Tauk, Thiruvallur District.

For the Petitioner : Mr.Paul Kanagaraj
for M/s.P.J.Anitha

For Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 to 4, 6 and 7



WEB COPY



W.P.No.24306 of 2024

: Mr.M.R.Gokul Krishnan
for Ms.Shanmugavalli Sekar
Standing Counsel
for respondent No.5

: Mr.R.Muniyapparaj
Addl. Public Prosecutor
for respondent No.8

ORDER

(Order of the Court was made
by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 to 8 to consider the representations dated 11.5.2024, 19.7.2024 and 22.7.2024, respectively, and initiate effective steps to prevent the business illegally run by respondents 9 and 10 in the agricultural land, thereby causing pollution and health issues to the public of Adhavan Nagar, Amoor Village, Ponneri Tauk, Thiruvallur District.

2. Learned counsel for the petitioner submits that respondents 9 and 10 have put up a scrap factory in the agricultural land and are undertaking gas welding work. It is further submitted that the



W.P.No.24306 of 2024

private respondents are burning tyres and plastic material in the said land. The private respondents are causing huge noise and air pollution and owing to the the toxic gases released while undertaking the said works, the health of the residents of the entire locality is adversely affected.

3. Learned State Government Pleader submitted that the private respondents have been orally instructed not to undertake the aforesaid works in the agricultural land. He pleads that the authorities shall take effective steps to close the said unit run by the private respondents, if they have not obtained the requisite permission.

4. Learned counsel for the fifth respondent submitted that a show cause notice has already been issued to the private respondents on 14.8.2024, as consent of the Tamil Nadu Pollution Control Board was not obtained by them for carrying out the said works. He adds that the fifth respondent, based on the reply received from the private respondents, shall proceed in accordance



W.P.No.24306 of 2024

with law.
WEB COPY

5. In the light of the aforesaid submissions, we dispose of the writ petition with a direction to the fifth respondent to proceed further in accordance with law after considering the reply received from the private respondents to the show cause notice dated 14.8.2024. The respondent authorities are directed to ensure that the unit is not run by respondents 9 and 10 without necessary permission, as the lives of the residents of the locality are at stake. There shall be no order as to costs. Consequently, W.M.P.No.26556 of 2024 is closed.

(D.K.K., ACJ.) (P.B.B, J.)
23.08.2024

Index : Yes/No
NC : Yes/No
sasi



W.P.No.24306 of 2024

To:

- 1.The District Collector,
Tiruvallur District,
Tiruvallur.
- 2.The Sub Collector,
Ponneri Division Office,
Tiruvallur District-601 204.
- 3.The Tahsildar,
Ponneri Taluk,
Tiruvallur District.
- 4.The Revenue Divisional Officer,
Ponneri Sub Division, Ponneri,
Tiruvallur District.
- 5.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy,
Chennai-600 032.
- 6.The Block Development Officer,
Chozhavaram Panchayat Union,
Chozhavaram, Tiruvallur District,
Chennai-600 067.
- 7.The Assistant Executive Engineer,
Pubic Works Department,
Ponneri,
Tiruvallur District.
- 8.The Inspector of Police,
E1 Police Station,
Ponneri, Commissionerate of Avadi,
Tiruvallur District.



WEB COPY



W.P.No.24306 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

(sasi)

W.P.No.24306 of 2024

23.08.2024