



W.P.No.4566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 11.03.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR

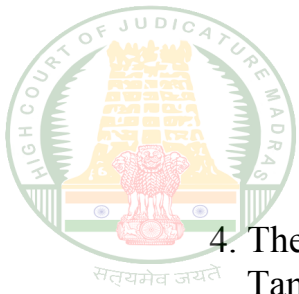
W.P.No.4566 of 2025

Mr.K.Poongavanam

.. Petitioner

v.

1. The Tamil Nadu Pollution Control Board
O/o the District Environment Engineer
Tamil Nadu Pollution Control Board
Master Plan Complex
S.F.No.1/6D & 1/5B
Perumbakkam Village
Tiruvallur 602 001
2. The Joint Chief Environmental Engineer (M)
Tamil Nadu Pollution Control Board
First Floor, 950/1, Poonamallee High Road
Arumbakkam, Chennai 600 106
3. Tamil Nadu Pollution Control Board
rep.by its Chairperson
No.76, Mount Road
Guindy, Chennai 600 032



W.P.No.4566 of 2025

WEB COP

4. The District Environment Engineer
Tamil Nadu Pollution Control Board
Master Plan Complex
Adjacent to Sub Treasury near Tollgate
Tiruvallur 602 001

5. The Superintending Engineer
West/Chennai
TANGEDCO, 33KV Thirumangalam Complex
Anna Nagar, Chennai 600 040

6. The Assistant Engineer
Ayanambakkam
TANGEDCO
33/11, KV T.I.Cycles SS Campus
TNEB (Near T.I.Cycles playground)
Ambattur, Chennai 600 053

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders of the 3rd respondent issued vide his proceedings No.TNPCB/TI/F.013055/TLR/Closure/Water/2025 dated 09.01.2025, proceedings No.TNPCB/TI/F.013055/TLR/Closure/EB/Water/2025 dated 09.01.2025 proceedings No.TNPCB/TI/F.013055/TLR/Closure/Air/2025 dated 09.01.2025 proceedings No.TNPCB/TI/F.013055/TLR/Closure/EB/Air/2025 dated 09.01.2025, quash these orders and consequently direct the respondents 1 to 4 not to take any action till the final decision of the CMDA vide its reply in proceedings Letter No.R1/6185/2022-2 dated 18.09.2024 mean time direct the 5th respondent to restore the electricity supply to M/s.HARIPRASATH ENTERPRISES situated at Survey No.485, measuring A2.06; Survey No.571, measuring 1.42 cents; and Survey No.490/1, measuring 19 cents (8284 sq.ft) all located at No.85, Ayanambakkam Village, Ambattur Taluk, Tiruvallur District.



WEB COPY



W.P.No.4566 of 2025

For Petitioner :: Mrs.Selvirejesh
For Respondents :: Mr.V.Gunasekar
Standing Counsel for R1 to R4
Ms.Sindhuza M.S for
Mr.L.Jaivenkatesh
Standing Counsel for R5 & R6

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The order passed by the Tamil Nadu Pollution Control Board directing closure and disconnection of power supply to the industry-M/s Hariprasad Enterprises, is under challenge. Pertinently, the industry, namely, M/s Hariprasad Enterprises is not even a party in the present writ proceedings. The petitioner claims to be the owner of the building, in which M/s Hariprasad Enterprises is running the industry. The authorities found that the said industrial unit is violating the pollution norms and action was initiated and a detailed order has been passed for closure of the industry and for disconnection of power supply. Therefore, the cause arose only for the proprietor of M/s Hariprasad Enterprises and not the writ petitioner, who claims to be the landlord and electricity service connection has been



W.P.No.4566 of 2025

provided by TANGEDCO in the name of the petitioner. In the event of

vacating the premises by the tenant of the writ petitioner, the petitioner may claim restoration of electricity service connection. However, the petitioner cannot seek electricity service connection for running the industry in the name of M/s Hariprasad Enterprises. Pertinently, the industry has been constructed in an agricultural land. That being so, the petitioner cannot lease out the property for running a factory. After evicting the industry from the subject property, the petitioner may submit an application for restoration of electricity service connection and thereafter the authorities may consider the same. However, in support of tenant, for the purpose of running the industry, the petitioner cannot file the writ petition and the order impugned has not been served to the writ petitioner and thus the writ petition is not entertainable and consequently stands dismissed. Consequently, W.M.P.Nos.5089 & 5090 of 2025 are also dismissed. No costs.

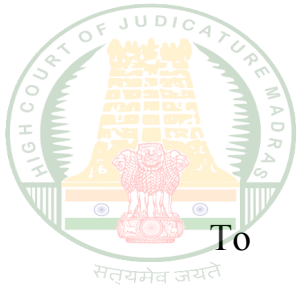
Index : yes

Neutral citation : yes/no

(S.M.S.,J.) (K.R.S.,J.)

11.03.2025

SS



W.P.No.4566 of 2025

To

WEB COPY

1. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Master Plan Complex
S.F.No.1/6D & 1/5B
Perumbakkam Village
Tiruvallur 602 001
2. The Joint Chief Environmental Engineer (M)
Tamil Nadu Pollution Control Board
First Floor, 950/1, Poonamallee High Road
Arumbakkam, Chennai 600 106
3. The Chairperson
Tamil Nadu Pollution Control Board
No.76, Mount Road
Guindy, Chennai 600 032
4. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Master Plan Complex
Adjacent to Sub Treasury near Tollgate
Tiruvallur 602 001
5. The Superintending Engineer
West/Chennai
TANGEDCO, 33KV Thirumangalam Complex
Anna Nagar, Chennai 600 040
6. The Assistant Engineer
Ayanambakkam
TANGEDCO, 33/11, KV T.I.Cycles SS Campus
TNEB (Near T.I.Cycles playground)
Ambattur, Chennai 600 053



WEB COPY



W.P.No.4566 of 2025

S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

W.P.No.4566 of 2025

11.03.2025