



W.P.No.14019 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 29.04.2025

CORAM :

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

W.P.No.14019 of 2024

M.Gurusamy

.. Petitioner

-VS-

1. The District Collector
Office of the District Collector
Erode District
2. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Chennimalai Road, Near ITI
Erode 638 009
3. Karthick
Proprietor Kavinyaa Plastic
Nos.11 and 12 in S.F.No.607/4
Kavindapadi, Bhavani Taluk
Erode District 638 455
4. The Block Development Officer
Kavindapadi Taluk, Erode District
(R4 suo motu impleaded vide order
dated 21.03.2025 in WP.14019/24) .. Respondents



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Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the representation dated 08.04.2024 pending on the file of the 1st respondent in accordance with law.

For Petitioner :: Ms.J.Pavithra

For Respondents :: Mr.G.Ameedius
Government Advocate for R1 & R4
Mr.V.Gunasekar
Standing Counsel for R2
R3-Not ready in notice

ORDER

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

The learned Government Advocate for the State and the learned Standing Counsel appearing on behalf of the Pollution Control Board would submit that the unit run by the third respondent is not in operation. The said position has been stated in paragraph-5 of the counter affidavit filed by the second respondent, which reads as under:-

“5. It is respectfully submitted that the third respondent unit was inspected by the official of the second respondent on 16.08.2024 and during the inspection, the following were noticed:-

1. The unit was not in operation and informed the



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petitioner to open the premises.

2. The unit was purchasing waste pet bottles from rag pickers and making as a bale and selling it out.
3. The waste pet bottles were stored inside and outside the unit premises.
4. The unit's total land extent is only of 2 cents.
5. The unit's activity comes under commercial activity only and shall not be considered as industrial activity.
6. The unit's location is in the residential area. Since the unit's activity is a commercial activity and does not come under the purview of TNPCB.”

2. In view of the above position, no further adjudication is required and the writ petition stands disposed of. No costs.

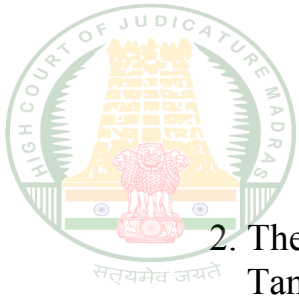
Index : yes
Neutral citation : yes/no

(S.M.S.,J.) (K.R.S.,J.)
29.04.2025

ss

To

1. The District Collector
Office of the District Collector
Erode District



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2. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Chennimalai Road
Near ITI, Erode 638 009

3. The Block Development Officer
Kavindapadi Taluk
Erode District



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S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

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