



W.A.No.2430 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 01.08.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.2430 of 2025
and
C.M.P.No.18651 of 2025

1. M/s.Mayil White Pig Farm,
Proprietor Mrs.Malliga,
W/o.Sivanandhan,
Door No.2/19A, Onakalkadu,
Seraiyampalayam Village,
A.Eraiyamangalam Post,
Thiruchengode Taluk,
Namakkal District-637 210.

2. K.Gowri Shankar

... Appellants/Respondents

-vs-

1. T.Muthusamy

2. State of Tamil Nadu
Rep by its Secretary,
Revenue and Disaster Management Department,
Fort St.George, Chennai-600 009.

3. The District Collector,
Office of The Collectorate,
Namakkal District-637 003.



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4. The Revenue Divisional Officer
O/o.The Revenue Divisional Officer,
Paramaththi Road,
Thiruchengode Taluk and Post,
Namakkal District-637 211.

5. The Tahsildar,
Office of the Tahsildar,
Tiruchengode, Namakkal District 637 210.

6. The Block Development Officer (VP),
Office of The Block Development Officer,
Thiruchengode, Namakkal District-637 210.

7. The President,
A.Eraiyamangala Village Panchayat,
A.Eraiyamangalam Post, Thiruchengode,
Namakkal District.

8. The Inspector of Police,
Molosi Police Station, Thiruchengode Station,
Thiruchengode Taluk,
Namakkal District-637 210

... Respondents/Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent, seeking to set aside the order dated 07.03.2025 passed in W.P.No.7989 of 2025 and remand the matter for fresh disposal.

For Appellants : Mr.P.Mani

For R1 : Mr.P.Nethaji

For R2 to R6 : Mr.M.Venkateswaran
Spl. Govt. Pleader



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ORDER

(By J.Nisha Banu,J.)

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A challenge in the Writ Appeal is to the order dated 07.03.2025 passed in W.P.No.7989 of 2025, by which, the Writ Petition was disposed of, with a direction to the 6th respondent therein to remove the unauthorized piggery forms of the appellants herein.

2. Mr.P.Nethaji, learned counsel has entered as Caveator for the 1st respondent / Writ Petitioner. Mr.M.Venkateswaran, learned Special Government Pleader takes notice for R2 to R6. By consent, the Writ Appeal itself is taken up for final disposal at the admission stage.

3. When the matter is taken up for hearing, it is stated by the learned counsel for the Appellants that the main grievance of the Appellants is that there was a positive direction issued by the learned Single Judge to remove the unauthorized piggery farms of the appellants after giving due notice to the writ petitioner as well as the appellants herein and affording an opportunity of personal hearing on merits and in accordance with law.



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Learned Single Judge ought to have directed the 6th respondent therein to, at first, afford an opportunity of personal hearing to the appellants and thereafter, to take a call in respect of removal piggery farms. It is further stated by the learned counsel for the appellants that it would suffice, if the particular portion of paragraph no.7 of the order, namely, **to remove the unauthorized piggery farms of the respondents 8 & 9**, is deleted.

4. Heard the learned counsel on either side.

5. Considering the submissions made by the learned counsel for the appellants, the Paragraph No.7 is substituted to read as under:

“7. In view of the submission made by the learned counsel on either side, this Court directs the sixth respondent to give due notice to the petitioner as well as respondents 8 & 9, afford an opportunity of personal hearing and thereafter, take suitable action in respect of removal of the piggery farms of the respondents 8 & 9 situated in S.No.188/1 at A.Erayamangalam Village, Thiruchengode Taluk, Namakkal District, in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”



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6. With the above modification of the order dated 07.03.2025,

WEB COPY this Writ Appeal is disposed of. No costs. Consequently, connected

Miscellaneous Petition is closed.

(J.N.B.J.,) (M.J.R,J.,)
01.08.2025

Index: Yes / No

Internet: Yes / No

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Note: Issue order copy on 01.08.2025

To:

1. The Secretary,
State of Tamil Nadu
Revenue and Disaster Management Department,
Fort St.George, Chennai-600 009.
2. The District Collector,
Office of The Collectorate,
Namakkal District-637 003.
3. The Revenue Divisional Officer
O/o.The Revenue Divisional Officer,
Paramaththi Road,
Thiruchengode Taluk and Post,
Namakkal District-637 211.
4. The Tahsildar,
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5. The Block Development Officer (VP),
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