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W.P.No.34166 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2025

CORAM :

THE HONOURABLE MRS.JUSTICE N. MALA

W.P.No.34166 of 2024

Elumalai

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Tiruvallur District.
2. The Tahsildar,
Tiruttani Tahsildar Office,
Tiruttani, Tiruvallur District.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.1/6D & 1/5B, Perumbakkam Village,
Tiruvallur District.
4. The Block Development Officer,
Block Development Office,
Thiruvelankadu, Panchayat Union,
Tiruvallur Taluk, Tiruvallur District.

5. M.Palani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 4th respondent herein to consider the petitioner representation dated 23.07.2024 and to remove the flour mill “Yashoda Rice Mill, situated at Chinnammapettai Village, Thozhudhavur Road, Tiruttani, Tiruvallur District”.

(Prayer amended vide order of this Court dated 20.08.2025 in W.M.P.No.26569 of 2025)



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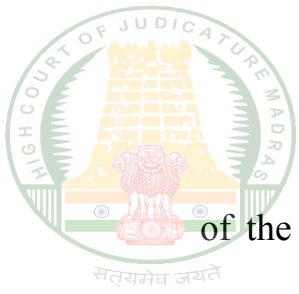
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For Petitioner : Mr.C.Balaji
For Respondent : Mr.V.Manoharan,
Additional Government Pleader,
for R1 and R2
Mr.D.Devendran for R5

ORDER

This Writ Petition has been filed seeking direction to the 4th respondent herein to consider the petitioner's representation dated 23.07.2024, and to remove the flour mill “Yashoda Rice Mill, situated at Chinnammappettai Village, Thozhudhavur Road, Tiruttani, Tiruvallur District”.

2. The petitioner is a resident of Chinnammappettai Village, Thozhudhavur Road, Tiruttani, Tiruvallur District. The petitioner states that adjacent to his house, the 5th respondent was running a Flour Mill in the name and style of “Yashoda Rice Mill. The petitioner’s grievance is that the 5th respondent’s Flour Mill generates excessive noise constituting noise pollution, and causing serious nuisance to the petitioner, who is the adjoining land owner. The petitioner further states that the 5th respondent was running the Flour Mill without obtaining proper licence and approvals from the competent authorities. The petitioner under the circumstances, approached the respondents several times complaining of the illegal acts

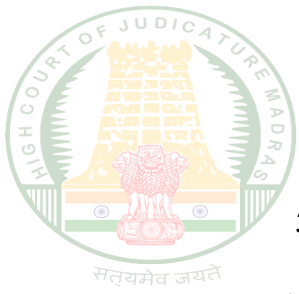


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of the 5th respondent. However, no action was taken and therefore, the petitioner submitted a written representation on 23.07.2024, to the official respondents, for which also, there was no reply. Hence, the petitioner was constrained to file the above writ petition for the aforesaid relief.

3. The respondents 2, 3, 4 and 5 have filed separate counter affidavits. This Court is refraining from referring to the counters of the respondents 2, 4 and 5 since in the opinion of the Court, the writ petition can be disposed of on the basis of the 3rd respondent's counter affidavit.

4. The 3rd respondent, in his counter, submitted that on receipt of the petitioner's complaint on 26.04.2024, the officials of the respondents inspected the Flour Mill of the 5th respondent, on various dates and in the inspection, certain deficiencies were found. During inspection, it was found that no noise control measures or Air Pollution Control [APC] measures were implemented by the 5th respondent, to control the noise and dust emissions generated during the operation of the Flour Mill machines. The 3rd respondent in the counter affidavit, extracted the observations made in the inspection conducted on 10.04.2025.



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5. Heard the learned counsels on either side and also perused the materials placed on record.

6. The facts of the case are undisputed. The 5th respondent was running a Flour Mill adjacent to the petitioner's property, which was causing great nuisance and noise pollution to the residents of the area and particularly, to the petitioner. The petitioner, therefore submitted several representations to the official respondents, but to no avail. The petitioner has therefore approached this Court.

7. The 3rd respondent in his counter, extracted the observations made during the inspection conducted on 10.04.2025, which read as follows:-

- a) Monica Vedhika Mavu Mill is located at Residential area and was in operation.*
- b) The unit changed the Monica Vedhika Mavu Mill to Yashoda Rice Mill.*
- c) The unit had registered with UDYAM (MSME certificate) vide registration no.UDYAM-TN-24-0028357, FSSAI vide registration no. 22424476000020, and obtained License from Rural Development and Local Government Department, Chinnamapettai, Thiruvallangadu vide No.2023-2024/2/6/5/6/2.*



- d) *The flour mill is involved in dry and wet grinding of Rice, Wheat, Chilli etc.,*
- e) *The flour mill consists of seven (7) grinding machines, of which (6) machines were in operation, and one (1) was non-operational. The unit has provided three (3) motors for the simultaneous operation of the grinding machines.*
- f) *It was observed that no noise control measures or air pollution control (APC) measures were implemented to control the noise and dust emissions generated during operation.*
- g) *No trade effluent is generated during the grinding process.*
- h) *The unit has obtained power load of 12 KW (i.e., 16.0923 HP) from TNEB vide EB Card No.095490082925.*

8. From the aforesaid observations of the 3rd respondent, it is clear that the 5th respondent is operating the Flour Mill with seven grinding machines of which six were fully operational. According to the 3rd respondent, the 5th respondent has provided three motors for simultaneous operation of the grinding machines. These observations read with the observation that the 5th respondent had not provided for any noise control measures or Air Pollution Control measures to control the noise and dust emissions generated during the operation, clearly raises a doubt on the 5th respondent's operations. In any event, this Court is of the view that the



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grievance of the petitioner can be addressed by the 3rd respondent, who is the competent authority.

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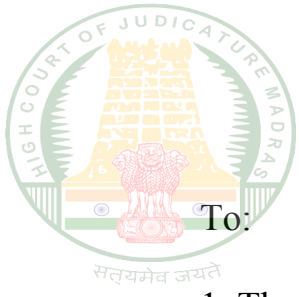
9. This Court therefore issues the following directions:-

- a) The petitioner is directed to submit a representation to the 3rd respondent expressing his grievances and highlighting the violations, committed by the 5th respondent, in running the Flour Mill, within a period of two weeks from the date of receipt of a copy of this order.
- b) The 3rd respondent, on receipt of the petitioner's representation, shall conduct a fresh inspection, within a period of four weeks thereafter.
- c) Subject to the outcome of the inspection, the 3rd respondent shall take appropriate action as deemed fit.

With the aforesaid directions, the Writ Petition is disposed of. No costs.

20.08.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes / No
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To:

1. The District Collector,
Office of the Collectorate,
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N. MALA,J.,

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