



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

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**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

WP No. 35483 of 2024

1. MANIKANDAN

Partner. M/s.Atomic Inspection
Services, S/o.Thirumalai,
S.F.No.345/3b,Kaniyur Village, Sullur
Taluk, Coimbatore District

Petitioner(s)

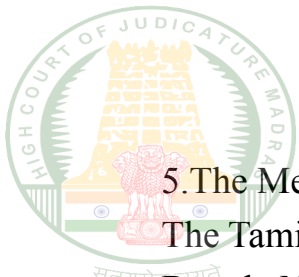
Vs

1. The District Collector
Colletorate, Railway Station Road,
Coimbatore-18

2.The Revenue Divisional Officer
Office of the Revenue Divisional
Officer, Sullur, Coimbatore

3.The Tahsildar
Office of the Tahsildar, Sullur,
Coimbatore

4.The Block Development Officer
Office of the Block Development
Officer, Sullur, Coimbatore



5.The Member Secretary
The Tamilnadu Pollution Control
Board, No.76, Mount Salai, Guindy,
Chennai-600032

6.The District Environmental Engineer
Tamilnadu Pollution Control Board
No.76, Mount Salai, Guindy,
Chennai-600 032

Respondent(s)

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of writ of Certiorarified Mandamus, to call for the records related to the impugned order issued by the 3rd respondent vide Na.Ka.No.2171/2024/A7 dated 3.10.2024 and Na.Ka.No.03/2024/A4 dated 14.10.2024 and quash the same as illegal and consequently direct the respondents not to interfere the petitioners unit situated in Survey No.345/3B, Kaniyur Village Panchayat, Sulur Taluk, Coimbatore

For Petitioner(s): Mr.L.Chandra Kumar
for Mr.K.Muthu Ganesa Pandian

For Respondent(s): Mr.M.Suresh Kumar, AAG
Assisted by
Mr.E.Veda Bagadh Singh, Spl GP
For RR1 to 4

Mr.V.Gunasekar,
Standing Counsel for TNPCB
For RR5 & 6



ORDER

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

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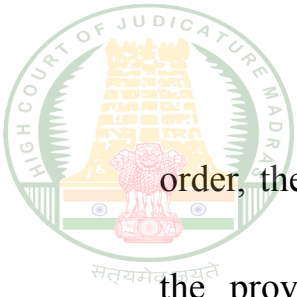
The order of rejection passed by the Tahsildar refusing to grant licence is sought to be assailed in the present writ proceedings.

2.The order impugned states that the petitioner is running an Industry in violation of Pollution Control Laws.

3. The learned counsel for the petitioner would submit that the Industry is in operation after obtaining due licence and permission from the competent authorities.

4. However, the counter filed by the Tamil Nadu Pollution Control Board reveals that the “consent to operate” granted by the competent authority expired on 31st March 2025. The petitioner has submitted an application to the Tahsildar for grant of licence. The Tahsildar cannot consider the application if any submitted by the petitioner in the absence of enclosing all relevant documents.

5. In the present case, the consent to operate certificate issued by the Pollution Control Board expired on 31st March 2025. As per the impugned



order, the petitioner has to obtain necessary licence from the Panchayat under the provisions of the Panchayat Act. Therefore, all the requirements as contemplated under the various statutes are to be complied with and application if any already submitted must be considered only if all the relevant documents are enclosed. In the event of complying with all the requirements, the application if any submitted by the petitioner is to be considered on merits. It is needless to state that the requirements of the relevant statute for conversion of lands or otherwise all to be looked into properly before granting licence. Any violation noticed must be actionable and the authorities committed lapses are also to be held accountable.

6. With the observations, the writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are also stands closed.

(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)

02-04-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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