



W.P.(MD) No.18704 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.18704 of 2025
and
W.M.P.(MD) Nos.14344 and 14345 of 2025**

1.N.Nallathambi

2.N.Senthil Kumar

3.K.Balachandar

... Petitioners

/vs./

1.The Commissioner of Town Panchayats,
7th & 8th Floor, Urban Administrative
Office Campus, Raja Annamalaipuram,
Chennai 600 028.

2.The Director of Medical Services,
No.361, DMS Complex,
Anna Salai,
Chennai 600 006.

3.The District Collector,
Madurai District,
Madurai 625 020.



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4.The Joint Chief Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Kappalur,
Thirumangalam Taluk,
Madurai 625 008.

5.The Deputy Director of Health Services,
Viswanathapuram,
Madurai 625 014.

6.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Kappalur,
Thirumangalam Taluk,
Madurai 625 008.

7.The Assistant Director of Town Panchayats,
Madurai Collectorate,
Madurai 625 020.

8.The Executive Officer,
Town Panchayat,
Paravai 625 402,
Madurai District.

9.M/S.P.M.S.Fish Processing Factory,
4th Street, B Colony, AINEA Nagar,
Paravai 625 402,
Madurai District.

10.M/S.Rejivin Autocult,
4th Street, B Colony, AINEA Nagar,
Paravai 625 402, Madurai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 8 to take appropriate action based on the petitioner's representations dated 23.01.2023, 31.05.2024, 14.12.2024 and 30.01.2025 and remove the industrial units belonging to 9th and 10th respondents located in Old Survey No.139/4 and 139/5 and UDR No.140/4 and 140/5 in Paravai 1st Bit Village, AIBEA Nagar, B Colony, 4th Street, Paravai, Madurai District, from the petitioner's residential area following statutory norms.

For Petitioners : Mr.K.Alagarsamy

For R1 to R3, R5
& R7 : Mr.C.Satheesh
Government Advocate

For R6 : Ms.Maduri Reddy

For R8 : Mr.A.Kannan
Additional Government Pleader

ORDER

Mr.C.Satheesh, learned Government Advocate takes notice for the respondents 1 to 3, 5 and 7, Ms.Maduri Reddy, learned counsel takes notice for the sixth respondent and Mr.A.Kannan, learned Additional Government Pleader for the 8th respondent.



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2.The petitioners have filed this writ petition for a Mandamus to direct the 8th respondent to act on the petitioners' representations, dated 23.01.2023, 31.05.2024, 14.12.2024 and 30.01.2025 to remove the industrial units of the respondents 9 and 10 located in Old S.Nos.139/4 and 139/5 and UDR No.140/4 and 140/5 at Paravai 1st Bit Village, AIBEA Nagar, B Colony, 4th Street, Paravai, Madurai District from the petitioners' residential area.

3.The learned counsel for the petitioners submits that the petitioners have obtained information under RTI on 17.02.2023, wherein, the 8th respondent has confirmed that no permission has been granted to the private respondents herein.

4.That apart, the learned counsel for the petitioners has also drawn attention to the direction of the Tamil Nadu Pollution Control Board, Chennai, in connection with the industrial units put up by the respondents 8 and 9, directing the 8th respondent to take suitable action. It is submitted that despite the same, no action has been taken by the respondents.



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5.The learned counsel for the petitioners has also drawn attention to the decision of this Court rendered in W.P.(MD) No.23138 of 2019 filed by some of the petitioners herein, wherein, the Court had ordered as follows:-

“6.It is clear from the above that even as per the stand taken by the 3rd respondent, the respondents 4 to 6 have not got any approval to run an industrial unit in a residential area. In fact, the 3rd respondent has granted approval to the respondents only for putting up residential building. Having taken such a stand, the 3rd respondent cannot turn a blind eye and permit the respondents 4 to 6 to run the illegal industrial units. By now, action should have been taken and the industrial units should have been closed. Unfortunately, the same has not been done.

7.This Court has absolutely no hesitation to allow this writ petition and issue appropriate directions to the 3rd respondent. Accordingly, the 3rd respondent is directed to immediately take action against the respondents 4 to 6 and close down the industrial units, which are being run without getting any permission/approval. This process shall be completed by the 3rd respondent within a period of four(4) weeks from the date of receipt of a copy of this order.

8.The petitioners are directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order. The copy of the representation shall also be marked to the first respondent.”

6.The aforesaid writ petition has been filed for the following relief:-

“for issuance of a writ of Mandamus, directing the respondents 1 to 3 to take action based on the petitioner's representation dated 16-07-2019 and 18-07-2019 and remove the industrial units belonging to Respondents 4 to 6 located in Survey Nos.129/3(p) and 129/5(p) in UDR No.143/3A and 143/5A2 and in Survey Nos.129/5UDR No.143/5A



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in Paravai 1st Bit Village, from the residential area following statutory norms and ensure that due statutory procedures are followed in the matter of maintaining residential zones free from industries.”

7.Having considered the submissions made by the learned counsel for the petitioners, learned Government Advocate for the respondents 1 to 3, 5 and 7, learned counsel for the 6th respondent and the learned Additional Government Pleader for the 8th respondent and after dispensing with the notice on the private respondents herein, namely, respondents 9 and 10, this Writ Petition stands disposed of, by directing the 8th respondent to consider the aforesaid representations of the petitioners in the light of the RTI information secured by the petitioners dated 17.02.2023, the directions of the Tamil Nadu Pollution Control Board, dated 13.03.2025, bearing கடித எண்.கோ.புகார். OLGPRS-099481879/மாகுபொ/தநாமாகவா/மதுரை/2024 and the order of this Court, dated 26.04.2021 in W.P.(MD) No.23138 of 2019 after due notice to the private respondents herein. The entire exercise shall be completed within a period of 10 weeks from the date of receipt of a copy of this order.



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No costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No

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Internet : Yes / No

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To

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6.The Executive Officer,
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C.SARAVANAN, J.

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