



WEB COPY



W.P.No.9337 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.9337 of 2026

AND

W.M.P.No.10060 of 2026

1. N.Palanisamy
S/o.A.Nachimuthu
Residing at Thottampatty
Villarasampaatti Post
Erode Taluk and District- 638 107

2. N.Thachinamoorthy
S/o.A.Nachimuthu
Residing at Thottampatty,
Villarasampaatti Post
Erode Taluk and District- 638 107

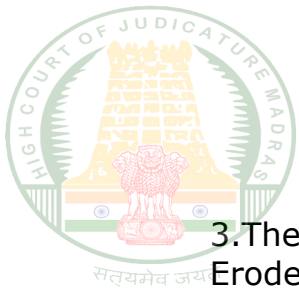
3. P.Thirumalaisamy
S/o.Periyasamy
Residing at Thottampatty
Villarasampaatti Post
Erode Taluk and District- 638 107.

Petitioner(s)

Vs

1. The District Collector
Erode District

2.The Revenue Divisional officer
Brough Road, Erode District



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3.The Tahsildar
Erode District

4.The District Environmental Engineer
Tamil Nadu Pollution Control Board Plot
No.815, SIDCO Kalyanasundaram Street
Chennimalai Road,Erode- 638 009

5.D.Suresh
S/o.N.Duraisamy
Residing at Thottampatty
Villarasampatti Post
Erode Taluk and District- 638107

6.D.GowriShankar
S/o.N.Duraisamy
Residing at Thottampatty
Villarasampatti Post
Erode Taluk and District- 638107

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to initiate stringent action against the respondents No.5 and 6 for causing nuisance and air pollution based on petitioners representation dated 23.12.2025, consequential direct the respondents 1 to 4 to maintain clean and healthy environment in petitioner's locality within a time frame as fixed by this Honb'le Court.

For Petitioner : Mr.A.M.Amutha Ganesh

For Respondents : Mr.K.Karthik Jagannath
Government Advocate for RR1 to 3
Mr.V.S.Maha Krishnan for RR5 and 6

ORDER

(Made by The Hon'ble Chief Justice)

This petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 to 4 to initiate stringent action

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against the respondents No.5 and 6 for causing nuisance and air pollution based on the petitioner's representation dated 23.12.2025.

2. The third respondent has filed Status Report, relevant portion of which is extracted hereunder for ready reference:-

"5.I respectfully submit that during the Re-Survey work, the land bearing R.S.No.31 (Old Survey No.226-1) admeasuring an extent of 1.38.50 hectares was recorded as Ryot Punjai - 'Conditional Assignment' vide patta No.Ni.12 - Sengoda gounder and 7 other persons. After the Re-Survey work, the extent of 1.39.50 hectares in the above land bearing R.S.No.31 (old survey no.226-1) was subdivided from R.S. No.31/1 to 31/8 and recorded as Patta Lands on various names. Among the lands the land in question bearing R.S. No.31/1 (Old Survey No.226-1)-Ryot Punjai-0.45.50 Hectares has been recorded as Patta Land vide patta no.589 in the names of (1) Nachipannadi, (2) Nallasamy, (3) Selvaraj.

6.I respectfully submit that before filing of the writ petition, the above writ petitioners viz. Thiru N. Palanisamy, S/o. Nachimuthu (1), N. Thatchinamoorthy, S/o. Nachimuthu (2), P. Thirumalaisamy, S/O. Periyasamy (3), have filed a complaint petition complained that the garbage was being accumulated in the rocky pit in the above land by one Thiru Gowrishankar (6th Respondent of the present writ petition) causing pollution and requested to take action to remove the garbage preventing from the environmental. On the complaint petition, the jurisdictional Village Administrative Officer and the Revenue Inspector have submitted the enquiry/inspection report that *"the lands bearing R.S. No.31/1, 31/2, 31/3, 31/4 are the undivided*



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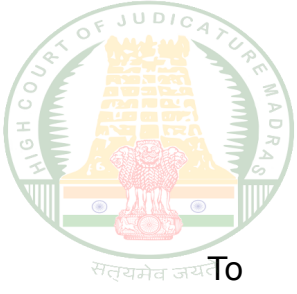
property jointly belongs to the above three complaint petitioner as well as the 6th respondent (Gowrishankar). The above land is patta land. Due to the accumulation of the garbage by the above said Gowrishankar, it will pave the way to cause the fire accident and affect the environment. Since the above land is under the administration of the Erode Corporation Zonal-2, it may be brought to the notice of the Commissioner of Corporation of Erode for necessary action."

3. From the above, it can be seen that the dispute is between the petitioner and private respondents No.5 and 6. If there is any complaint in respect of storage of garbage by respondents No.5 and 6, the authority viz., the fourth respondent shall look into the matter and initiate appropriate action in accordance with law.

4. With the above observation, the writ petition stands disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
21.04.2026

Index : Yes/No
Neutral Citation : Yes/No
ssk/gya



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