



W.P.No.14588 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.14588 of 2026
and WMP No.15825 of 2026

K.Ramasamy
S/o Late Karuppusamy,
3/215, Thanda Gounden Pudur,
Kalipalayam Village,
Avinashi Taluk, Tiruppur District.

Petitioner(s)

Vs

The District Environmental Engineer
Tamil Nadu Pollution Control Board,
Tiruppur North,
Kumaran Commercial Complex,
Kumaran Road, Tiruppur District.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records relating to the impugned orders made in (i) Lr. No. 15914/2022/DEE/TNPCB/Tiruppur (N)/2025, dated 13.11.2025; (ii) Lr. No.5980/ DEE/TNPCB/Tiruppur (N)/2025, dated 31.12.2025; and (iii) Lr. No.



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122/DEE/TNPCB/Tiruppur (N)/2026, dated 12.01.2026 quash the same.

For Petitioner(s): Mr. N.Manoharan

For Respondent(s): Mr. V.Gunasekar
Standing Counsel

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner has filed this writ petition seeking issuance of a writ of certiorari to call for the records relating to the impugned orders made in (i) Lr. No. 15914/2022/DEE/ TNPCB/Tiruppur (N)/2025, dated 13.11.2025; (ii) Lr. No.5980/ DEE/ TNPCB/Tiruppur (N)/2025, dated 31.12.2025; and (iii) Lr. No. 122/DEE/ TNPCB/ Tiruppur (N)/2026, dated 12.01.2026 quash the same.

2.1. The case of the petitioner is that he and K.Murugasamy had entered into a partition deed dated 04.05.2006 in which, K.Murugasamy was allotted 4.29 acres in SF No. 277/2 as 'A' Schedule, and the petitioner was allotted 75 cents in SF No. 277/2 as 'B' Schedule. It is stated that K.Murugasamy, who is the petitioner's own paternal uncle, had applied for rough stone quarry



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lease in SF No.277/2 and managed to include petitioner's name in the joint agreement for quarrying and carrying of minor minerals dated 22.07.2013 with the District Collector.

2.2. It is averred that the petitioner got separate patta No.954 for SF No.277/2A on 24.12.2015, after sub division. K.Murugasamy had instigated his close aid, A.L.Pandian, to file WP No.15914 of 2022 to direct the respondent and others to take action against the petitioner for filling the quarry pit with burnt soil and also to remove the same.

2.3. It is further stated that, by order dated 13.11.2025, the respondent directed the petitioner to remove the furnace waste soil (burnt soil) dumped in the quarry within three months.

2.4. This court in WP No.15914 of 2022, filed by A.L.Pandian, by order dated 19.11.2025, directed the Sub Collector to file a report. Consequent to the said order, the Revenue Divisional Officer, Tiruppur, has passed an order dated 16.12.2025 by imposing penalty of Rs.4,11,680/- jointly on the petitioner and



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K.Murugasamy. It is stated that recording the factum of passing the aforesaid order dated 16.12.2025, the writ petition was disposed of by order dated 18.12.2025.

2.5. It is stated that pursuant thereto, the respondent had issued proceedings dated 31.12.2025 and 12.1.2026, directing the petitioner to remove the foundry waste soil (burnt soil) dumped in the quarry and inform the status of the same to the District Collector, Tiruppur.

3. Learned counsel for the petitioner submitted that assailing the order dated 16.12.2025 passed by the Sub Collector, Tiruppur, the petitioner has filed a statutory appeal dated 06.01.2026 before the District Collector, Tiruppur, and the same is pending consideration and, therefore, no cause of action has arisen for the respondent to issue the impugned orders. It is further submitted that the material alleged to be dumped is not toxic.

4. This court, while disposing of W.P.No.15914 of 2022, passed the following order:



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"In view of the fact that now an order has been passed on 16.12.2025 by the competent authority imposing penalty on the 5th respondent and the 5th respondent has also been directed to remove debris, failing which the authorities shall undertake the exercise and charges would be recovered from the 5th respondent, nothing survives for consideration in this petition.

2. Petition is disposed of. The 5th respondent, however, shall have liberty to work out his remedy, in case he is aggrieved by the order dated 16.12.2025."

5. The petitioner herein was the fifth respondent in the aforesaid writ petition and was duly represented by the arguing counsel herein.

6. The respondent herein in the proceedings under challenge has specifically stated that the such orders were passed based on the directions of this Court in W.P.No.15914 of 2022. When such being the position, this court cannot take a contrary view at this stage. If the petitioner is aggrieved by the direction issued in the



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said writ petition, it is for him to work out the remedy in the manner known to law. The petitioner having participated in the earlier round of litigation cannot now claim that there is no toxic material and, therefore, the debris need not be removed.

7. That apart, it is the admitted position that the appeal preferred by the petitioner before the District Collector is pending consideration. It is for the petitioner to approach the authority concerned and seek expeditious disposal of the pending appeal.

The writ petition is, accordingly, dismissed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
20.04.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi



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To:

The District Environmental Engineer
Tamil Nadu Pollution Control Board,
Tiruppur North,
Kumaran Commercial Complex,
Kumaran Road, Tiruppur District.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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