



W.P.No.19093 of 2020 &
W.P.No.11950 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2026

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19093 of 2020 & W.P.No.11950 of 2021
and W.M.P.No. 23660 of 2020 and W.M.P.No.12714 of 2021

W.P.No.19093 of 2020

M/s. Annamalaiyar Farm,
(a Registered Partnership Firm)
Rep by its Partnership M.Mohanasundaram,
S.F.No.436, Kasilingampalayam,
Dharapuram Taluk,
Tiruppur District.

... Petitioner

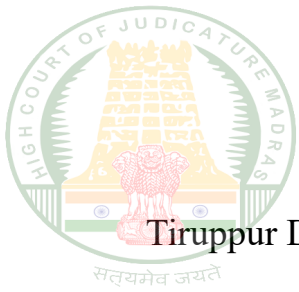
Vs

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Deputy Director,
Health Services,
147, Pooluvapatti Pirivu,
Neruperichar Salai,
Tiruppur-2.

3.The Block Development Officer,
(Village Panchayat),
Kundadam Panchayat Union,
Tiruppur District.

4.The Health Inspector,
Govt. Primary Health Centre,
Kundadam Region,



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Tiruppur District.

5. The President,
Nandavampalayam Panchayat,
Dharapuram Taluk,
Tiruppur District.
PIN:638 702.

6. The joint Director,
Animal Husbandry Department,
Tiruppur District.

7. The Divisional Engineer,
Tamil Nadu Pollution Control Board,
Tiruppur District.

*[RR-6 & 7 Suo motu impleaded vide order
dt 26.10.2021 made in W.P.No.19093/2020]*

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned letter dt.12.11.2020 issued by the 5th Respondent herein, quash the same.

For Petitioner : Mr.S.Sriram

For Respondents : Mr.C.Prabakara, Government Counsel
for RR1, 2, 4 & 6

: Mr.S.V.Durai Solaimalar for R-3

No Appearance for R-5

: Mr.B.N.Sunchindran, Senior Counsel for R-7



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... Petitioner

Vs

1.The Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai-600009.

2.The Secretary,
Animal Husbandry, Dairying and Fisheries (Poultry) Department,
Fort St.George,
Chennai-600009.

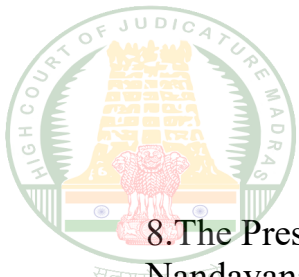
3.The District Collector
Office of the District Collector,
Tiruppur District.

4.The Deputy Collector,
Health Services,
147, PooluvapattiPirivu,
NeruperichalSali,
Tiruppur District-641602.

5.The Block Development Officer,
Kundadam Panchayat Union,
Tiruppur District.

6.The Block Supervisor,
Health Center,
Kundadam Region,
Tiruppur District.

7.The Health Inspector,
Govt. Primary Health Centre,
Kundadam Region,
Tiruppur District.



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8. The President,
Nandavanampalayam Panchayat,
Dharmapuram Taluk,
Tiruppur District.

9. M/s. Annamalaiyar Farm,
Rep. by its Partner,
S.F.No.436, Kasilingampalayam,
Dharapuram Taluk,
Tiruppur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd & 4th Respondents to close the poultry farm of the 9th Respondent i.e. M/s. Annamalaiyar Farm in S.No.436 PutuAyyapanayakampalayam, Nandavanampalayam, Tiruppur District.

For Petitioner : M/s.S.Lakshmipathy

For Respondents : Mr.C.Parabakaran, Government Counsel
for RR-1 to 7

Mr.S.V.Durai Solaimalai for R-8

COMMON ORDER

In view of the commonality of the issue involved in the above Writ Petitions, this Court is inclined to dispose of these Writ Petitions through this common order.

2. W.P.No.19093 of 2020 has been filed challenging the order passed by the 5th respondent dated 12.11.2020 directing the closure of the Annamalaiyar Farm, a registered partnership Firm on the ground that the same was established



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without obtaining necessary approval while W.P.No.11950 of 2021 has been filed

seeking a direction to the respective 3rd and 4th respondent for closure of the said poultry farm.

3. For the sake of brevity, the petitioner in W.P.No.19093 of 2020 will be referred to as the '*petitioner*' and the petitioner in W.P.No.11950 of 2021 will be referred to as '*complainant*' in this order.

4. Brief facts that are necessary for disposal of these Writ Petitions are as follows:-

The petitioner is one of the partners of the poultry farm under the name and style of M/s.Annamalaiyar Farm situated at Kasilingampalayam Village, Dharapuram Taluk, Tiruppur District by means of a partnership deed dated 27.11.2017. Based on the complaint lodged by one Balasubramani who is the petitioner in W.P.No.11950 of 2021 before the President of Village Panchayat, the present impugned order dated 12.11.2020 had come to be passed directing the closure of the poultry farm without conducting a proper enquiry. Aggrieved by the same, the W.P.No.19093 of 2020 came to be filed. Subsequently, W.P.No.11950 of 2021 came to be filed by the complainant seeking a direction to the authorities concerned for closure of the said poultry farm.



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5. Learned counsel for the petitioner submitted that the Village President

has no authority to pass such orders as the power vests exclusively with the District Administration and the licensing authority is animal husbandry department. In the present case, the petitioner had obtained all the necessary permissions from all the competent statutory authorities to run the poultry farm. Therefore, the impugned order passed by the Village President is wholly unsustainable. Accordingly, he prayed this Court for passing appropriate orders.

6. Per Contra, learned counsel appearing for the Pollution Control Board submitted that the petitioner had already obtained the requisite license from the Board for running the said poultry farm and the same remains valid upto 2029. However, the contention that the petitioner had failed to obtain the necessary approvals before establishing the farm is wholly unsustainable.

7. Learned counsel for the respondents 6 & 7 in W.P.No.11950 of 2021 submitted that, the poultry farm had admittedly been established, without obtaining any prior permission from the competent authorities. Proceedings in this regard were also initiated before the District Collector, Tiruppur District on 29.09.2020. Pursuant thereto, the petitioner appeared before the concerned authority and agreed to close the farm within a period of four months. It was only based on such undertaking, the present impugned order dated 12.11.2020 came to



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be passed and therefore, the same cannot be found fault with.

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8. Heard the learned counsel appearing on either side and perused the materials available on record.

9. It is the admitted fact that the petitioner is operating the poultry farm in question. According to the petitioner, the impugned order directing closure of the farm was issued by the Village President, based on the complaint lodged by one Balasubramani viz., complainant. While the petitioner claims that all the requisite licenses and permissions have been obtained from the competent authorities for running the poultry, the respondents 6 & 7 in W.P.No.11950 of 2021 claims that the petitioner himself voluntarily agreed before the Deputy Collector, Tirupur District to close the farm.

10. In view of the conflict in facts between the parties as also the rival submissions advanced by the learned counsel appearing on either side, this Court of the considered view that the matter requires examination by the 2nd respondent in W.P.No.19093 of 2020 viz., the Deputy Director of Health Services, Tiruppur. Accordingly, this Court, without interfering with the order impugned in this Writ Petition, directs the Deputy Director of Health Services, Tiruppur to enquire into the matter by issuing due notice to the all concerned parties who shall be entitled



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to place all the relevant records and pass appropriate orders within a period of six

(6) weeks from the date of receipt of a copy of this order after providing them sufficient opportunity of hearing to all the concerned parties.

11. With the aforesaid direction, these Writ Petitions are disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

01.06.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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Tiruppur District,
Tiruppur.

2.The Deputy Director,
Health Services,
147, Pooluvapatti Pirivu,
Neruperichar Salai,
Tiruppur-2.

3.The Block Development Officer,
(Village Panchayat),
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4.The Health Inspector,
Govt. Primary Health Centre,
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M.DHANDAPANI, J

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