Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.Nos.33292 & 33293 of 2026
and W.M.P.Nos.36633, 33634 & 33637 of 2026

CNR: {HCMA011943892026}

W.P.No.33292 of 2026

M/s.Mayil White Pig Farm
Proprietor Mrs.Malliga,
W/o.Sivanandhan,
Door No.2/19A, Onakalkadu,
Seraiyampalayam Village,
A.Erayamangalam Post,
Tiruchengode Taluk,
Namakkal – 637 210.

..Petitioner(s)

Vs

The Special Officer/
Block Development Officer (Village Panchayat)
A.Erayamangalam Panchayat,
Tiruchengode Taluk,
Namakkal District.

2.T.Muthusamy
S/o.Thirumalai
No.2/21, Senrayampalayam Village,
A.Erayamangalam Post,
Tiruchengode Taluk,
Namakkal – 637 210.
(R2 impleaded vide Order of this Court dated 27.10.2026 in
W.M.P.No.40854 of 2026 in W.P.No.33292 of 2026)

..Respondent(s)

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W.P.No.33293 of 2026

CNR: {HCMA011943902026}

M/s.Sky White Pig Farm
Proprietor Mr.K.Gowrishankar,
S/o.Kuppusamy
No.2/23, Seraiyampalayam,
A.Erayamangalam Post,
Tiruchengode Taluk,
Namakkal – 637 210.

..Petitioner(s)

Vs

1.The Special Officer/
Block Development Officer (Village Panchayat)
A.Erayamangalam Panchayat,
Tiruchengode Taluk,
Namakkal District.

2.T.Muthusamy
S/o.Thirumalai
No.2/21, Senrayampalayam Village,
A.Erayamangalam Post,
Tiruchengode Taluk,
Namakkal – 637 210.
(R2 impleaded vide Order of this Court dated
27.10.2026 in W.M.P.No.40850 of 2026 in
W.P.No.33293 of 2026) ..Respondent(s)

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorari calling for the records relating to the impugned order passed by the respondent in his office Ref.Na.Ka.No.01/2026/Voo.Ni dated 31.07.2026, quash the same.

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For Petitioner(s) in both WPs: Mr.P.Mani

For Respondent(s) in both WPs: Mr.C.Prabakaran for R1
Special Government Pleader

Mr.N.Umapath for R2
(newly impleaded)

COMMON ORDER

Challenging the common impugned order dated 31.07.2026 passed by the respondent, the present Writ Petitions have been filed.

2.According to the petitioners, they are running piggery farms under the names and styles of Mayil White Pig Farm and Sky White Pig Farm, respectively, within the jurisdiction of the respondent.

3.W.M.P.Nos.40850 and 40854 of 2026 have been filed seeking to implead the petitioners therein as the proposed second respondent in W.P.Nos. 33292 and 33293 of 2026, respectively. Though the learned counsel appearing for the petitioners in both the Writ Petitions has strongly objected to the impleading petitions, this Court is inclined to allow the same, as the proposed parties are necessary and proper parties for the adjudication of the issues involved in these Writ Petitions. Accordingly, both the Writ Miscellaneous Petitions are allowed as prayed for. The Registry is directed to carry out the necessary amendments before issuing the final order.

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4.It is the case of the petitioners that, based on the objections raised by the newly impleaded respondents, alleging that the construction and operation of the piggery farms pose a health hazard, representations were submitted to the respondent, pursuant to which the common impugned order came to be passed.

5.Mr.P.Mani, learned counsel appearing for the petitioners in both the Writ Petitions, submits that the impugned order categorically directs the removal of unlicensed piggery farms. He contends that the impugned order was passed without affording the petitioners an opportunity of hearing, thereby affecting their fundamental right to carry on their business.

6.Without going into the merits of the matter, particularly with regard to whether the petitioners possess valid licences to carry on their business, this Court is of the view that, before passing an order affecting the rights of the petitioners, the statutory authority ought to have conducted a preliminary or detailed inquiry, as warranted by law, after affording them an opportunity of being heard. However, the impugned order does not disclose that any notice was issued to the petitioners or that they were afforded an opportunity of hearing before the order was passed.

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7.For the foregoing reasons, the impugned order dated 31.07.2026 passed by the respondent is set aside, and the matters are remitted to the respondent for fresh consideration. The respondent shall afford an opportunity of hearing to the petitioners as well as the newly impleaded respondent and thereafter pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8.Until fresh orders are passed, no coercive action shall be taken against the petitioners pursuant to the impugned order.

9.With the above directions, the Writ Petitions are allowed. There shall be no order as to costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

27-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PAM

To

The Special Officer/
Block Development Officer (Village Panchayat)
A.Erayamangalam Panchayat,
Tiruchengode Taluk,
Namakkal District.

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N.SENTHILKUMAR, J.

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