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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.8501 of 2026
and W.M.P(MD)No.6880 of 2026

Shanmugam

..Petitioner

- Vs. -

1. The Block Development Officer,
Thottiyam Panchayat Union,
Thottiyam Taluk,
Trichy District.

2. The Panchayat Secretary,
Kolakudi Village,
Thottiyam Panchayat Union,
Trichy.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the order issued by the 1st respondents vide Na.Ka.A2.0009/2025 dated 04.03.2025 in respect to removal of petitioner's Poultry Farm in Kolakudi Village at Thottiyam Taluk in Tiruchirappalli District to quash the same.

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For Petitioner : Mr.V.Vishnu

For Respondents : Mr.PB.Ahamed Yasmin Parvin
Government Advocate
for R1

ORDER

The petitioner assails the notice dated 04.03.2025 issued by the first respondent.

2. In the said notice, the first respondent is called upon the petitioner to relocate the Poultry Farm stating that the petitioner is operating the poultry farm illegally without permission and also a complaint was made by one Parimala, who is the nearby resident, stating that a foul smell is emanating from the poultry farm.

3. Admittedly, no show cause notice was issued to the petitioner before issuing the impugned notice calling upon the petitioner to relocate the poultry farm and the show cause notice was issued only on the basis of alleged inspection and the copy of the inspection report was not furnished



to the petitioner before issuing the impugned notice. Therefore, the impugned notice issued by the first respondent is in violation of principles of natural justice.

4. It is also an admitted fact that no permission is required to run a poultry farm and the first respondent lacks statutory authority to take any coercive steps against the petitioner from operating the poultry farm since a foul smell is emanating from the poultry firm. It is for the competent authority under the Public Health Act to take appropriate action. Therefore, the impugned notice issued by the first respondent is not legally sustainable.

5. Accordingly, the Writ Petition is allowed and the impugned notice dated 04.03.2025 issued by the first respondent is set aside. However, liberty is given to the competent authority under the Public Health Act to take appropriate action in accordance with law after providing an opportunity of hearing to the petitioner.



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6. There shall be no orders as to costs. Consequently, connected miscellaneous petition is closed.

16.04.2026

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJJ

To

The Block Development Officer,
Thottiyam Panchayat Union,
Thottiyam Taluk,
Trichy District.



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HEMANT CHANDANGOUDAR, J.

PJL

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