



W.P(md)No.12385 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:04.02.2026

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

AND

THE HONOURABLE MR.JUSTICE **K.K.RAMAKRISHNAN**

WP(MD)No.12385 of 2025

M.Sadasivam

... Petitioner

Vs.

- 1.The District Collector,
District Collector's Office,
Karur.
- 2.The District Environmental Engineer,
Tamil Nadu Government Pollution Control Board,
86, Arivuthirukovil Salai,
L.G.P Nagar,
L.N.S.Nagar,
L.N.S.Village,
Karur-639 002
- 3.The Special Officer,
Goodalur East Panchayat,
Rangapalayam Post,
Chinnathaapuram Road,
Aravakurichi Taluk-639 202
Karur District.
- 4.The Area Development Officer,
Village Panchayat,



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Area Development Office,
K.Paramathi Union,
K.Paramathi,
Karur District.

5.The Additional Chief Environment Engineer,
Appellate Officer,
Tamil Nadu Government Pollution Control Board,
75, Mount Road,
Guindy,
Chennai-600032

6.M/s.Dairique Food Private Limited,
Office at, 2nd Floor, No.34, 4th Cross Road,
Sengunthapuram,
Karur-639 002.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the respondents 1 to 5 to forthwith restrain the establishment and operation of the food processing plant proposed by respondent No.6 at K.A.Survey Nos.379/1 and 381/1 in Kilpagam Bit-1 Village, Gudalur, Karur District and to direct relocation of the said plant to a site that does not adversely impact the environment, groundwater, agriculture and livelihood of the local residents on the basis of the petitioner's representation dated 12.02.2025 within the time stipulated by this Court.

For Appellants	: Mr.C.Deepak
For R1,3,4	: Mr.P.Thilak Kumar, Govt., Pleader
For R6	: M/s.Vijayakumari Natarajan
For R2, R5	: M/s.Madhuri Donti Reddy



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ORDER

(Order of the Court was delivered by DR.G.JAYACHANDRAN,J.)

This Writ Petition is filed seeking for issuance of a writ of Mandamus directing the respondents 1 to 5 to forbear from granting necessary permissions for establishing the Food Processing Unit by the sixth respondent in S.Nos. 379/1 and 381/1 in Kilpagam Bit-1 Village, Gudalur, Karur District.

2.The Public Interest Litigation is filed apprehending that if the Food Processing Plant of the sixth respondent come into existence, under water percolation will get drained and also get contaminated. Further, it is contended that the sixth respondent has not obtained necessary environmental clearance details including environmental impact Assessment(EIA) as per notification. Further, it is apprehended that four borewells dug by the sixth respondent, which is more than 900 feet depth would drain under water percolation. The agriculture land purchased by the sixth respondent sought is to be converted for commercial purpose, which would drastically affect the sustainable development of the area. Therefore, applying public trust doctrine, the writ petitioner wants for interference by the Court.



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3.The learned Government Advocate submitted that the Director of Town and Country Planning, on considering the application submitted by the sixth respondent and the documents produced, was satisfied that the proposed factory which almost falling within the red category, had complied with all the requirements and special conditions and therefore, permission was granted, vide proceedings dated 16.09.2025.

4.The learned counsel appearing for the sixth respondent submitted that the sixth respondent proposes to establish a plant viz., M/s.Dairique Food Private Ltd., utilizing milk and milk products from local resources. The land, which has been chosen for the said project as barren land, has not been used for any agricultural purpose for several years and the necessary certificate regarding the nature of the land has been issued by the Tahsildar, Aravakurichi, vide his certificate dated 25.03.2025. The Tamil Nadu Fire and Rescue Department, on inspection of the site, has issued a No Object Certificate(NOC) for establishment of the industry. The Pollution Control Board has also given its consent and all other necessary certificates from the respective Departments had been obtained including the permission from the Town and Country Planning Authority. The petitioner with an oblique motive had come before this Court by way of Public Interest Litigation, to prevent the establishment of Dairique Food Factory, which, in fact, will put



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all much assistance in improving the economic of the local public for mainly agriculturist.

5.The District Collector, Karur District, vide proceedings dated 16.10.2025, had accorded permission for establishing the factory and installation of machinery.

6.On perusal of the said proceedings, dated 16.10.2025 reveals that the grant of permission for the establishment of the factory M/s.Dairique Food Private Ltd., and installation of factory machinery was granted subject to certain conditions with a rider that if the terms and conditions are not complied with or any violation of the condition is occurred, the factory/industry may be locked and sealed and also criminal action may be initiated. The proceedings of the District Collector, Karur, are self explanatory, if both the special and general conditions mentioned therein are scrupulously followed. We also make it clear that the drawing of water from the borewell by the sixth respondent industry, must be in compliance with the guideline issued by the Government from time to time and there shall not be over drawing of water at any point of time than the permitted limits. Therefore, there is no possibility of any danger as expressed by the writ petitioner.



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7.Hence, we dismiss the writ petition with observation that the District Collector, Karur, shall always be vigil and monitor the functioning of the factory and to take the action, if there is any violation of the condition by the sixth respondent, as found in the proceedings dated 16.10.2025.

8.With the above observations, this Writ Petition stands dismissed. No costs.

[G.J., J.] & [K.K.R.K., J.]
04.02.2026

Index :Yes/No
Internet :Yes
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To

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