



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19759 of 2023

and

W.M.P(MD)No.16311 & 23664 of 2023

Mohamed Rafi

...Petitioner

Vs

1. The Commissioner,
Dindigul Corporation,
Dindigul.

2. The City Health Officer,
Dindigul Corporation,
Dindigul.

3. Arivudai Nambi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 1st respondent herein in his proceedings dated 31.07.2023 and quash the same.

For Petitioner	: M/s.K.Hemakarhikeyan
For Respondents	: M/s.J.Lawrance Standing Counsel for R1 & R2 Mr.D.Venkatesh for R3



ORDER

The present writ petition has been filed seeking to quash the order of closure of the floor mill run by the petitioner by the first respondent.

2. The petitioner is running a floor mill within the limits of the first respondent Municipal Corporation. The third respondent has made a complaint with regard to the dust and noise pollution arising out of the said floor mill. Based upon the said complaint, the petitioner was issued with a notice on 13.12.2021 why action should not be initiated as against him. Thereafter, the third respondent has approached this Court in W.P.(MD)No.21226 of 2021, seeking a direction for initiating action as against the floor mill of the petitioner. An order came to be passed on 26.06.2023, wherein a direction was issued to the Corporation to initiate action within a period of three weeks.

3. In compliance with the orders of this Court, the present impugned notice has been issued by the respondent Corporation on 31.07.2023 to the effect that the floor mill shall be kept under lock and seal. This order is put to challenge in the present writ petition.



4. According to the learned Counsel appearing for the writ petitioner, though notice came to be issued on 13.12.2021, based upon the oral representations made by the petitioner, no further action was initiated. Therefore, the petitioner was under an impression that further notices would be issued to him for initiating action. However, the present order has been passed without hearing him. Hence, the present writ petition.

5. Per contra, the learned Standing Counsel appearing for the Municipal Corporation pointed out that despite notice to the petitioner, he has not submitted the explanation. Therefore, the impugned order may be sustained.

6. The learned Counsel appearing for the third respondent submitted that due to the dust pollution and noise pollution, on his complaint the present impugned order came to be passed and in case of any enquiry, he may be heard. The learned counsel for the third respondent further submits that the petitioner is not having any license from the Municipal Corporation to run the floor mill.

7. I have considered the submissions made on either side and perused the materials available on record.



8. Pursuant to the interim order passed by this Court, the petitioner is already running the floor mill. The petitioner is directed to submit his explanation to the notice issued to him on 13.12.2021 within a period of 2(two) weeks from the date of receipt of this order. Based upon the explanation and after hearing the objections raised by the third respondent, the first respondent is directed to pass orders within a period of 4(four) weeks from the date of receipt of explanation from the writ petitioner.

9. With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

25.02.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1. The Commissioner,
Dindigul Corporation,
Dindigul.

2. The City Health Officer,
Dindigul Corporation,
Dindigul.



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R.VIJAYAKUMAR, J.

RJR

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