

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

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PRESENT

**The Hon`ble Mr.Justice K.K.SASIDHARAN**  
**and**  
**The Hon`ble Mr.Justice P.D.AUDIKESAVALU**

WP (MD) No.24756 of 2018

1 M.K.SAKTHIVEL RAJA  
2 S.BALAKRISHNA RAJA  
3 S.MURUGESAN  
4 K.GANESAN

... PETITIONERS

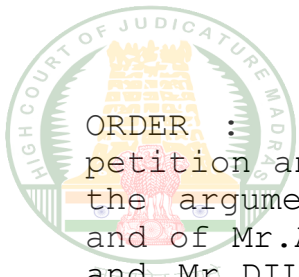
Vs

1 THE DISTRICT COLLECTOR,  
VIRUDHUNAGAR DISTRICT, VIRUDHUNAGAR .  
  
2 THE COMMISSIONER,  
RAJAPALAYAM MUNICIPALITY,  
RAJAPALAYAM 626 117.  
  
3 THE TAHSILDAR,  
TALUK OFFICE, RAJAPALAYAM.  
  
4 THE EXECUTIVE ENGINEER (IRRIGATION),  
PUBLIC WORKS DEPARTMENT,  
RAJAPALAYAM-626 117, VIRUDHUNAGAR DISTRICT.  
  
5 THE DISTRICT ENVIRONMENTAL ENGINEER,  
TAMIL NADU POLLUTION CONTROL BOARD,  
VIRUDHUNAGAR.  
  
6 APSARA CONSTRUCTIONS,  
THROUGH ITS DIRECTOR  
B.MUTHUKUMARA RAJA.

7 KALIRAJ

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus, restraining the respondents their men, agents servants or anybody claiming through them from in any manner putting up Micro composite processing Units in any capacity at "AYATHURAN OORANI" of an extent of 0.45.0 Hectrs. in T.S.No.3, Block No.6, T.S.Ward 1, Pudupalayam Village, Rajapalayam.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.SUWATHIESWARAN, Advocate for the petitioner and of Mr.A.K.BASKARAPANDIAN, Special Government Pleader for R1 & R3 and Mr.DILIPKUMAR, Advocate for R2, the court made the following order:-

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[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The report submitted by the District Environmental Engineer, Tamil Nadu Pollution Control Board indicates that the Municipality was advised not to start the construction, meaning thereby, without obtaining statutory permission/clearance from the Tamil Nadu Pollution Control Board. The necessary proceedings were issued on 31 December 2018.

2. Let the Local Body discontinue the work relating to setting up the waste processing treatment and disposal facility till necessary permission is obtained from the Tamil Nadu Pollution Control Board.

3. This order would not stand in the way of either selecting an alternative place by the Municipality or seeking clarifications from the Tamil Nadu Pollution Control Board with regard to the statutory clearance indicated in the status report.

4. Post on 18 February 2019.

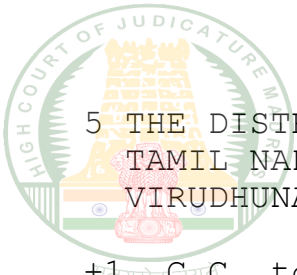
sd/-  
29/01/2019

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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR,  
VIRUDHUNAGAR DISTRICT, VIRUDHUNAGAR .
- 2 THE COMMISSIONER,  
RAJAPALAYAM MUNICIPALITY,  
RAJAPALAYAM 626 117.
- 3 THE TAHSILDAR,  
TALUK OFFICE, RAJAPALAYAM.
- 4 THE EXECUTIVE ENGINEER (IRRIGATION),  
PUBLIC WORKS DEPARTMENT,  
RAJAPALAYAM-626 117, VIRUDHUNAGAR DISTRICT.



5 THE DISTRICT ENVIRONMENTAL ENGINEER,  
TAMIL NADU POLLUTION CONTROL BOARD,  
VIRUDHUNAGAR.

+1 C.C. to Mr.A.SIVAJI, Advocate, SR.No.1715

+1CC TO Mr.V.VASANTHAKUMAR, Advocate, Sr No.1935

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ORDER

IN

WP(MD) No.24756 of 2018

Date :29/01/2019

**MS/VR/SAR-3/31.01.2019/3P.8C**