

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2018

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.10356 of 2018

G.Eswari ... Petitioner

Vs

1. The District Collector
Erode District, Erode.
2. The Superintending Engineer
TANGEDCO, Electricity Distribution Circle
EVN Road, Erode.
3. The Executive Engineer (O&M)
TANGEDCO, Urban Division
EVN Road, Erode.
4. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Erode District, Erode.
5. The Assistant Director
Town and Country Planning
Erode.
6. P.Karuppanaswamy .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents 1, 4 and 5 to take action against the sixth respondent' power loom factories illegally

(2)

running in Survey No.38, 39, Minnakadu Thottam, Thanneerpandalpalayam, Veerappan Chatram Post, Erode – 4.

For Petitioner : Mr.S.Kolandasamy

For Respondents : Mr.E.Manoharan
Addl. Government Pleader
for respondents 1 and 5

Mrs.Rita Chandrasekaran
for 4th respondent

Mr.S.Sai Sathyajith
for 6th respondent

ORDER

(Made by *Ms.Indira Banerjee, Chief Justice*)

It is the case of the petitioner, a resident of Eswari Illam, Minnakkadu Thottam Pavaye, Thanneerpandalpalayam, Veerappan Chatram Post, Erode, that the sixth respondent is illegally running more than 100 Power Looms under three sheds without consent from the fourth respondent, being the Tamil Nadu Pollution Control Board. The petitioner complains of unbearable noise as also dust from the power looms.

2. The petitioner filed an application, being Application No.127 of 2017, before the National Green Tribunal, Southern Zone, Chennai.

(3)

The application was disposed of by an order dated 28.8.2017, whereby the petitioner was directed to approach the appropriate authority notified under the Noise (Regulation and Control) Rules, 2000 for redressal of her grievances. It was, however, directed that the Pollution Control Board should continue to monitor the noise level and take action in accordance with law as and when the noise exceeded the permissible decibel level.

3. We direct the Pollution Control Board to ensure that the Power Looms are not operated beyond the permitted working hours, which is from 10 A.M. in the morning to 6 P.M. in the evening, and to ensure that the noise level does not exceed the permissible decibel level.

With the aforesaid directions, the writ petition is disposed of. No costs. Consequently, W.M.P.No.12326 of 2018 is closed.

सत्यमेव जयते

(I.B., CJ.)

(A.Q., J.)

Index : No
Internet : Yes
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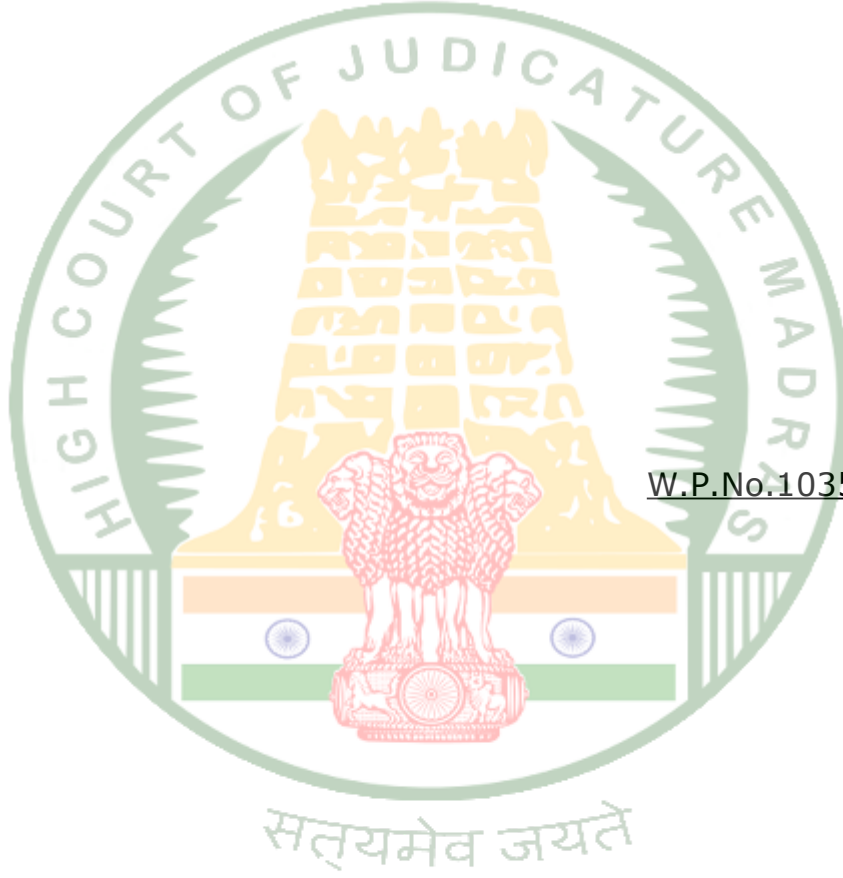


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(5)

THE HON'BLE CHIEF JUSTICE
AND
ABDUL QUDDHOSE.J

(sasi)



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