



W.P(MD)No.21124 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

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CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.21124 of 2023

M.Arasupandi

... Petitioner

Vs.

1.The District Collector
Madurai District,
Madurai.

2.The District Environmental Officer,
Tamil Nadu Pollution Control Board,
SITCO Industrial Estate,
Kappalur,
Madurai District.

3.The Commissioner
Madurai Corporation,
Madurai.



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4.The Chief Engineer (PWD)

Water Resource Organization,
Tallakulam,
Madurai

5.The Tahsildar

Madurai North Taluk,
Madurai District.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing to forbear from issuing permissions permitting organization to take out processions during this year carrying large sized plaster of Lord Vinayagar idols and other idols made of any other chemicals and immersing such idols in sea rivers and other water resources anywhere in Madurai to consider petitioner's representations, dated 27.06.2023 and 31.07.2023.

For Petitioner : Mr.M.Murugan

For Respondents : Mr.P.Thilak Kumar - for R1, R4 & R5

Government Pleader

Mrs.S.Devasena - for R3

Standing Counsel

Mrs.Vijayakumari Natarajan - for R2



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard Mr.M.Murugan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1, 4 and 5, Mrs.Vijayakumari Natarajan, learned counsel appearing for the second respondent and Mrs.S.Devasena, learned Standing Counsel appearing for the third respondent.

2. The Writ Petition is filed in the nature of public interest.

3. The petitioner seeks direction against the respondents to forbear from issuing permissions permitting organization to take out processions during this year carrying large sized plaster of Lord Vinayagar idols and other idols made of any other chemicals and immersing such idols in sea, rivers and other water resources anywhere in Madurai.

4. We have heard the matter yesterday. It was kept today so as to enable the learned Government Pleader and the Tamil Nadu Pollution Control Board to put forth their stand.



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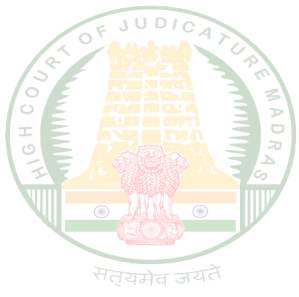
5. The Tamil Nadu Pollution Control Board has enumerated the Central Pollution Control Board Rules from dissolving Lord Vinayagar statues. The same reads thus :

"Role and Responsibilities of the local and urban authorities.

i) Licenses/permits may be granted by the Local and Urban bodies within respective jurisdiction to only those idol Manufacturers or Makers or Crafts Man or Artisans who uses only Eco-friendly natural clay materials (But not PoP or baked clay) in making idols, prior to festive times.

Hence, proper action may be taken on the basis of this complaint in accordance with Tamil Nadu District Municipalities Act, 1920 and Tamil Nadu Public Health Act, 1939 and same shall be intimated to the complainant as per well as this office."

6. The revised guidelines for idol immersion issued by the Central Pollution Control Board is also placed on record and it is submitted by the learned Government Pleader that these guidelines would be adhered to.



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7. As far as taking out procession is concerned, it is for the authorities to control and navigate the procession in an orderly manner. The guidelines are also laid down by the Central Pollution Control Board regarding immersing the idols and the same are in place. It is expected from the authorities to adhere to the same or to implement the same.

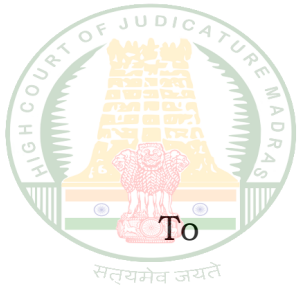
8. Accordingly, the Writ Petition is disposed of. No costs.

[S.V.G., C.J.]

[C.K., J.]

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Index : Yes / No
Neutral Citation : Yes / No
RM



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THE HONOURABLE CHIEF JUSTICE
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