



W.P.(MD)No.16042 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.16042 of 2023

S.Kasilingam

... Petitioner

Vs.

- 1.The District Collector,
Collectorate, Korampallam,
Thoothukudi-628 101.
- 2.The District Deputy Director of Department of Health,
Thoothukudi, Thoothukudi District.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.
- 4.The Tahsildar,
Taluk Office,
Tiruchendur, Thoothukudi District.
- 5.The Executive Officer,
O/o. Udangudi Selection Grade Panchayat Board,
Udangudi, Thoothukudi District.

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 12.06.2023 and further to direct the 1st respondent to shift the illegal pig farm from the middle of the residence area to the outer area of the village.

For Petitioner : Mr.V.Rajiv Rufus
For R1 to R4 : Mr.P.Thilak Kumar,
Government Pleader

ORDER

(Order of the Court was made by ***S.VAIDYANATHAN, J.***)

The petitioner has come forward with the prayer to direct the 1st respondent to shift the illegal pig farm from the middle of the residential area to the outer area of the village by considering the petitioner's representation dated 12.06.2023.

2.Mr.P.Thilak Kumar, learned Government Pleader takes notice on behalf of the respondents 1 to 4. Since no adverse order is going to be passed as against the 5th respondent, notice to the 5th respondent is dispensed with.



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3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, rearing of pigs in the middle of the residential area is hazardous to health and causing epidemic. Therefore, he made a representation dated 12.06.2023 for shifting the pig farm outside the residential area. Since the same has not been considered so far, the petitioner is before this Court.

5.The learned Government Pleader appearing for the respondents 1 to 4 has submitted that on 29.05.2023 a notice has been issued by the 5th respondent to the farm owners to shift the pig farm outside the residential area.

6.The petitioner has filed this Writ Petition without impleading the persons, who are rearing the pigs in the residential area, as party respondents. Since an action has already been initiated by the 5th respondent, we are not inclined to grant any relief in this Writ Petition. Accordingly, this Writ Petition is disposed of with an expectation that the 5th respondent shall ensure that a decision



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is taken on the basis of the notice dated 29.05.2023 and the issue is not kept in cold storage. No costs.

(S.V.N., J.) & (D.B.C., J.)

04.07.2023

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

Yuva

To

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AND

D.BHARATHA CHAKRAVARTHY, J.

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