

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13669 of 2015

and

M.P.No.1 of 2015

P.Manishankar
Proprietor of M/s.Sai Builders
Sai Royal Court
Plot No.68, VGP Seethapathy Nagar,
No.9-100 ft Tharamani Road,
Velachery, Chennai - 600 042.Petitioner

-Vs-

- 1.The Assistant Commissioner
Corporation of Chennai
Zone XIII, Adyar,
Chennai - 20.
- 2.The Assistant Executive Engineer
Chennai Metropolitan Water Supply &
Sewerage Board,
Area XIII, Adyar, Chennai - 20.
- 3.M/s.Buhari Hotels and Restaurants,
represented by its Director,
Nawaz Buhari
No.17, Taramani Linik Road,
Opp CSI Church,
Velacherry, Chennai - 600 042.Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to discharge their statutory duties and take appropriate action against the third respondent for dumping waste in the drains including cancellation of the third respondent's license to run the hotel and further direct the third respondent to dispose the waste in a manner known to law.

For Petitioner : Mr.S.Namasivayam
For Respondents : Mr.P.V.Selvakumar [R1]

Mr.Jothikumar [R2]

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The grievance expressed by the petitioner in the form of a representation dated 01.12.2014 is that the third respondent is running a non-vegetarian restaurant and disposing the untreated effluent and thereby polluting the atmosphere.

3. Heard the submissions made by Mr.S.Namasivayam, learned counsel for the petitioner, Mr.P.V.Selvakumar, learned counsel for the first respondent and Mr.Jothikumar, learned counsel for the second respondent.

4. Learned counsel for the petitioner submits that though the legal notice was sent on 10.10.2014 followed by a representation dated 01.12.2014 to the respondents 1 and 2, they have not taken any care to dispose of the representation. Hence, the petitioner has filed the present writ petition.

5. Though the petitioner prayed for larger relief, this Court considering the facts and circumstances, directs the respondents 1 and 2 to dispose of the petitioner's representation dated 01.12.2014 on merits and in accordance with law after putting on notice the third respondent, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner and the third respondent.

Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.
30.04.2015

सत्यमेव जयते

Sd/-

Asst.Registrar

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/true copy/

Sub Asst. Registrar

gm

gm

To

1.The Assistant Commissioner
Corporation of Chennai
Zone XIII, Adyar,
Chennai - 20.

2.The Assistant Executive Engineer
Chennai Metropolitan Water Supply &
Sewerage Board,
Area XIII, Adyar, Chennai - 20.

+1 CC to S.Namasivayam, Advocate, Vide Sr.No.24647

CO-SSI

Ths : 19.05.2015

W.P.No.13669 of 2015

30.04.2015



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