

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25/11/2015

C O R AM

THE HONOURABLE Mr.JUSTICE T.SIVAGNANAM

W.P.No.37427 of 2015

P.S.G.Spinning Mills (P) Ltd
rep. By its Managing Director
Mr.P.Samiappa Gounder.

...Petitioner

Vs

1. The Commissioner
Kangayam Municipality
Kangayam 638 701
Tirupur District.

2. Tamil Nadu Pollution Control Board
rep. By its Environmental Engineer
Tirupur North
II Floor Kumaran Commercial Complex
Kumaran Road
Tirupur 641 601.

3. The District Collector
Tirupur 641 604.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent herein to take immediate steps to relocate the compost yard to a more suitable place outside the vicinity of kangayam town thus complying with the statutory requirements of the provisions of Municipal Solid Waste (Management and Handling) Rules, 2000.

For Petitioner : Mr.C.R.Krishnamoorthy

For Respondents : Mr.Dig Vijay Pandian
Additional Government Pleader
for R.R.1 and 3.

Mr.H.Yasmeen Ali for R.2.

O R D E R

With the consent of the learned counsel appearing for the parties, this writ petition is taken up for final disposal, at the admission stage itself.

2. Heard Mr.C.R.Krishnamoorthy, learned counsel for the petitioner, Mr.Dig Vijay Pandian, learned Additional Government Pleader for the first and third respondents and Mr.H.Yasmeen Ali for the second respondent.

3. The petitioner seeks for the issuance of a writ of mandamus to relocate the compost yard to a more suitable place outside the vicinity of kangayam town thus complying with the statutory requirements of the provisions of Municipal Solid Waste (Management and Handling) Rules, 2000 (hereinafter refer to as "the Rules").

4. The petitioner's representation was considered by the Pollution Control Board, by a letter of the second respondent dated 10/7/2014, addressed to the first respondent, directed the first respondent to comply with the Standards as specified under Schedule II, III and IV of the said Rules. The District Collector has also forwarded the petitioner's representation to the Revenue Officials for appropriate action. Since there was no progress in the matter, the petitioner is before this Court.

5. In the light of the above, the first respondent is directed to consider the petitioner's representation dated 20/6/2014, after affording an opportunity of hearing to the petitioner, pass a speaking order and intimate the same to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Commissioner
Kangayam Municipality
Kangayam 638 701
Tirupur District.

2. The Environmental Engineer
Tamil Nadu Pollution Control Board
Tirupur North
II Floor Kumaran Commercial Complex
Kumaran Road
Tirupur 641 601.

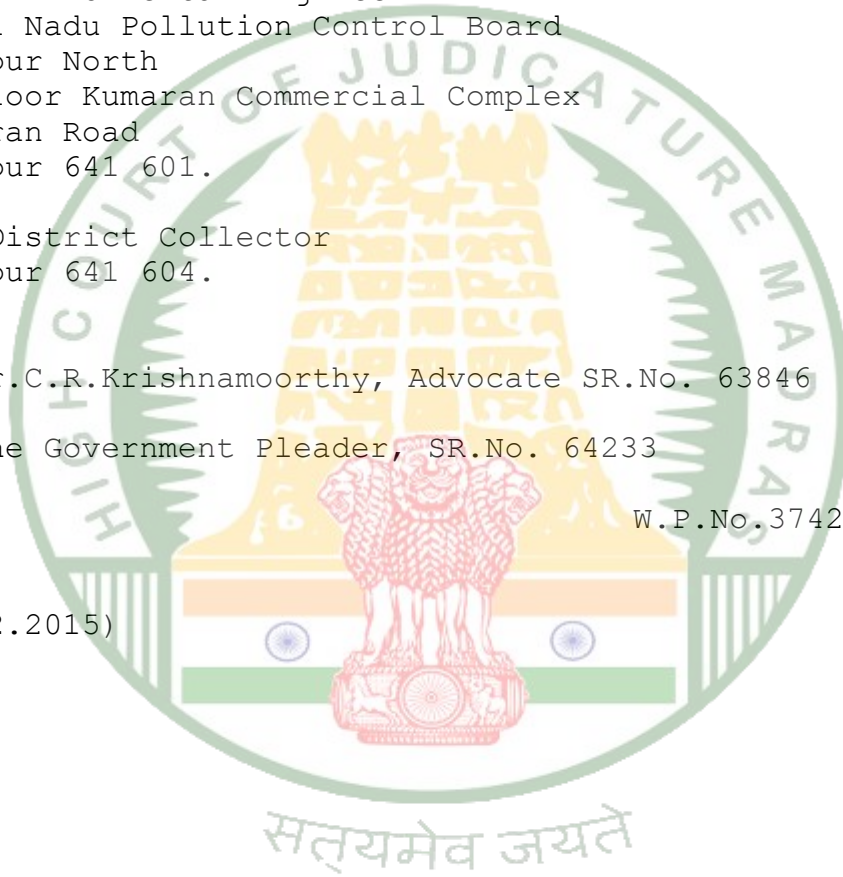
3. The District Collector
Tirupur 641 604.

1 CC to Mr.C.R.Krishnamoorthy, Advocate SR.No. 63846

1 CC to the Government Pleader, SR.No. 64233

W.P.No.37427 of 2015

VS (CO)
PSI (08.12.2015)



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