



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2016

CORAM :

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

and

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Review Application (MD) No.53 of 2015

A.Thangaraj

... Petitioner

Vs.

1.The Member Secretary,
Tamil Nadu Pollution Control Board,
Chennai.

2.The District Collector,
Thanjavur District.

3.The Tahsildar,
Kumbakonam,
Thanjavur District.

4.The Commissioner,
Kumbakonam Municipality,
Thanjavur District.

5.The Superintendent Engineer (Distribution Circle),
TANGEDCO,
Thanjavur.

6.V.Mohankumar

... Respondents

PRAYER : Review Application filed under Section 114 of C.P.C. & Order 47 Rule 1 CPC r/w Article 226 of the Constitution of India, praying to set aside and review the order in W.P.(MD) No.3919 of 2015 dated 06.08.2015, passed by their Lordships Hon'ble Justice Mr.R.SUDHAKAR & Hon'ble Justice Ms.V.M.VELUMANI and thereby allow the review petition.

For Petitioner : A.Thangaraj
Party in person

For 1st Respondent : Mr.C.Elamaran

For Respondents 2, 3 & 5: Mr.N.Manoharan
Special Government Pleader

For 4th Respondent : Mr.M.Rajarajan
Government Advocate

For 6th Respondent : Mr.A.Thiruvadikumar

**ORDER**

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

For the order made in W.P.(MD) No.3919 of 2015 dated 06.08.2015, review is sought for on the ground that the Writ Petition has been disposed of without adhering to the averments relating to the alleged illegal action of respondent No.6, who runs a plastic company viz., Kamatchi Amman Plastics.

2.The order sought to be reviewed is reproduced:

"When the matter was taken up for hearing on 05.08.2015, there was no representation on behalf of the petitioner and hence, the matter was directed to be listed under the caption 'for dismissal' on 06.08.2015. Even today, when the matter is taken up for hearing, there is no representation on behalf of the petitioner either in person or through Counsel and it may be that there is no issue in this public interest litigation that requires consideration.

2.Accordingly, this writ petition is closed. Consequently, the connected miscellaneous petitions are closed."

3.On the above prayer, seeking for review, Mr.C.Elamaran, learned counsel for the 1st respondent, Mr.N.Manohar, learned Special Government Pleader for the respondents 2, 3 and 5, Mr.M.Rajarajan, learned Government Advocate for respondent No.4 and Mr.A.Thiruvadikumar, learned counsel for respondent No.5, have no objection.

4.Placing on record the above contention and finding force in the contention of the Review Applicant/Writ Petitioner, this Review Application is allowed and the Writ Petition is restored to file to be heard on merits. No costs.

Sd/-

Assistant Registrar(Record)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

sj

To

1.The Member Secretary,
Tamil Nadu Pollution Control Board,



2.The District Collector,
Thanjavur District.

3.The Tahsildar,
Kumbakonam,
Thanjavur District.

4.The Commissioner,
Kumbakonam Municipality,
Thanjavur District.

5.The Superintendent Engineer (Distribution Circle),
TANGEDCO,
Thanjavur.

COPY TO:
THE SECTION OFFICER,
WRIT SECTION,MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ONE CC TO SPECIAL GOVERNMENT PLEADER SR NO.9791

Review Application (MD) No.53 of 2015
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RG.NGM-SS/SAR-I 29.02.2016 3P/8C