



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.19305 of 2015 and MP(MD)No.1 of 2015

R.Venkitasamy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Sivakasi,
Virudhunagar District.

4.Sridhar

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to close down the 4th respondents match factory by name Gentleman Match Factory.

For Petitioner

: Mr.T.Leninkumar

For Respondents 1-3

:Mr.M.Alagadevan,
Special Government Pleader.

ORDER

(Order of the Court was made by **R. SUDHAKAR, J.**)

The petitioner has come forward with this writ petition, seeking for a direction to the respondents 1 to 3 to close down the fourth respondent's match factory by name Gentleman Match Factory.

2.The petitioner claiming to be a neighbour of match factory run by the fourth respondent is aggrieved by the alleged discharge of chemicals and wastes into water channel which is causing environmental pollution. According to the petitioner, based on the representation of the petitioner, the Tahsildar made an enquiry and conducted peace committee meeting wherein he has suggested various remedial measures. However, the fourth respondent has not come forward to follow such measures. Hence, the petitioner has approached this Court by way of this writ petition.



3. At this juncture, we are not inclined to go into the disputed fact as to whether there is discharge of chemicals which is causing pollution or health hazardous to the general public. However, since the Tahsildar has taken a particular view of the matter and the petitioner is not satisfied with the same, he is entitled to approach the District Collector or environmental authority concerned who will consider his claim after proper appreciation of the allegations made therein. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, it is incumbent on the authority to keep in mind that principles of natural justice should be implicitly followed.

4. The writ petition is disposed of as above. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.
3. The Tahsildar,
Sivakasi,
Virudhunagar District.

+One cc to The Special government Pleader, SR.No.63151
+One cc to Mr.T.Leninkumar, Advocate, SR.No.62950

sms

RL/6c - 5/11/2015

Writ Petition (MD) No.19305 of 2015

27.10.2015