

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.02.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.21952 of 2015

S.Suresh

...Petitioner

Vs.

1. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sri Jothi Complex, 1st Floor,
No.6/1, Murugesan Street,
Balavinayagar Nagar, Arumbakkam,
Chennai - 600 106.
2. The Zonal Officer,
Corporation of Chennai,
Zone - IV, (Tondiarpet)
No.266, Thiruvotiyur High Road,
Chennai - 600 081.
3. E.Venkatesan, ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to take action in pursuance of the order, dated 18.05.2015, passed by the first respondent vide its letter No.DEE/CHN/TNPCB/PC 106/ 1789/2015, dated 18.05.2015, for shifting the third respondent's stainless steel polishing and steel vessels manufacturing unit located at No.243, 2nd Cross Street, Sundaram Pillai Nagar, Tondiarpet, Chennai - 600 081, away from the petitioner's residential area.

For Petitioner : Mr.B.Ganesha Moorthy
For Respondent-1 : Mrs.Yasmin Ali
For Respondent-2 : Mr.P.V.Selvakumar
For Respondent-3 : Mr.G.Jeremiah

O R D E R

Heard the learned counsel appearing for the parties.

2. This Writ Petition is filed on account of the business rivalry arisen between the petitioner and the third respondent, who are stated to be running Steel Industries in the area in question.

3. The petitioner wants the third respondent's Industry to be closed. The respondent/Corporation appears to have initiated action, thereafter, the third respondent has approached the Civil Court, and obtained an order of injunction, and at this stage of the matter, the question of issuing any direction, as sought for herein, does not arise. Accordingly, the Writ Petition is closed, leaving it open to the petitioner to workout his remedy before the Civil Forum in the manner known to law. It is needless to say that, if any Industries are being operated, including the petitioner herein, without obtaining proper licence in the residential area, appropriate action can be taken by the Authorities concerned.

4. In the result, the Writ Petition is closed, as stated above. No costs.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sd

To

1. The District Environmental Engineer,
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2. The Zonal Officer,
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1 cc to Mr.B. Ganeshamoorthy, Advocate, Sr. 9630

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GJ (CO)
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