

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 8.3.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.24881 of 2015

V. Bhuvaneswaran

... Petitioner

Vs.

1. The District Collector  
Namakkal District Collectorate Office  
Namakkal
2. District Environmental Engineer  
Tamil Nadu Pollution Control Board  
597 Salem Main Road  
Namakkal - 637 001
3. The Commissioner  
Pallipalayam Municipality  
Pallipalayam Namakkal District
4. Kumaravel .... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 3rd respondent to take action against 4th respondent by following the Letter issued by the 2nd respondent dated 07.05.2014 in Lr.No.Comp./ Dist.Env.Eng./ T.N.P.Cont.Board/Nam/2014, in accordance with Tamil Nadu District Municipalities Act 1920.

For Petitioner : Mr.R.Marudhachalamurthy

For R1 : Mr.R.Rajeswaran,  
Special Government Pleader

For R2 : Mrs.Rita Chandrasekaran

For R3 : Mr.M.Balakrishnan

For R4 : Mr.Ethirajulu

## ORDER

Petitioner seeks for issuance of a writ of mandamus directing the 3rd respondent to take action against 4th respondent by following the direction issued by the second respondent in his proceedings in Lr.No.Comp./Dist.Env.Eng./T.N.P.Cont.Board/Nam/2014 dated 07.05.2014.

2. The learned counsel appearing for the third respondent has filed a typed set of papers and counter affidavit and submitted that pursuant to the said proceedings, notice was issued under section 41(8) read with section 134 of the Public Health Act, 1939 and explanation was submitted by the Textile Mill on 10.7.2014 and orders were passed. It is further submitted by the learned counsel for the third respondent that inspection was also conducted. One more contention raised by the third respondent is that the petitioner is not a resident of that area.

3. Be that as it may, the third respondent, having proceeded further, pursuant to the direction issued by the second respondent which itself was passed on the complaint given by the petitioner, it is appropriate for the third respondent to communicate the decision arrived at by the third respondent so as to enable the petitioner to work out his remedies known to law. The learned counsel for the third respondent submits that the decision taken by the Municipality will be communicated to the petitioner within a period of two weeks.

4. Accordingly, the writ petition is disposed of directing the third respondent to communicate the order passed pertaining to the Textile Mill in question, within a period of two weeks from the date of receipt of copy of this order. No costs.

Sd/-

Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

ssk.

To

1. The District Collector  
Namakkal District Collector Office  
Namakkal
2. District Environmental Engineer  
Tamil Nadu Pollution Control Board  
597 Salem Main Road  
Namakkal - 637 001
3. The Commissioner  
Pallipalayam Municipality  
Pallipalayam  
Namakkal District

+1cc to Mrs.Rita Chandrasekaran, Advocate, S.R.No.15525  
+1cc to Mr.M.Balakrishnan, Advocate, S.R.No.14932  
+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.14936  
+1cc to the Government Pleader, S.R.No.14990

W.P.No.24881 of 2015

KK(CO)  
CA(18/03/2016)



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