

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM
and
The Hon'ble Ms.JUSTICE R.MALA

W.P.No.1886 of 2016
and
WMP.No.1665 of 2016

D.Ramamurthy

.. Petitioner

-vs-

1. The Director,
Rural and Rural Development,
Panagal Maligai, Saidapet,
Chennai-600 015.
2. The Assistant Director,
Rural and Rural Development,
Kancheepuram District.
3. The Member/Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai-600 008.
4. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy,
Chennai-600 032.
5. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
539/3, Bazar Street, Balaji Complex,
Padappai,
Sriperumpudur Taluk-601 301.
6. The District Collector,
Kancheepuram District.
7. The Block Development Officer,
Kundradur Panchayat Union,
Padappai,
Sriperumpudur Taluk-601 301.

8. The President,
Tharappakkam Village
Panchayat Board,
Tharappakkam Village,
Chennai-600 128.

9. Venkatesan

10.Savithri

.. Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider representation dated 30.12.2015 and take necessary action accordance with law on the representation dated 30.12.2015 made by the present petitioner to all the respondents to ban the R.O. Water unit to be started in the name of Sharvanthika Minerals or other names at No.177/2 Sivan Koil road, Tharapakkam Village, Mangadu (via) Sriperumpudur Taluk, Kanchipuram District for water selling business by the respondents 9 and 10.

For Petitioner : Mr.P.Palaniandy

For Respondent : Mr.STS.Moorthy
Nos.1, 2 & 6 to 8 Government Pleader
Assisted by
Mr.V.R.Kamalanathan, AGP

For Respondent : Mr.N.Sampath
No.3

For Respondent : Ms.Rita Chandrasekar
Nos.4 & 5

O R D E R

(Order of the Court was made by T.S.Sivagnanam, J.)

The petitioner has filed this writ petition seeking for a direction to the respondents to consider his representation dated 30.12.2015 and take necessary action to ban the R.O. Water Plant established by the respondents 9 and 10.

2.Heard the submissions made by the learned counsel on either side.

3.The learned counsel for the petitioner submitted that no permission has been obtained by the respondents 9 and 10 and the water plant has been functioning by in a residential area.

4.The learned counsel for the respondents submitted that the National Green Tribunal is considering similar matters with regard to water plants and suo-moto proceedings have been initiated and order has already been passed for closure of the water plants functioning without any licence.

5.This Court is of the considered view that since the Tribunal which is specifically dealing with the pollution matters is already seized of the issue in question, it would be better for the petitioner to move the said Tribunal for appropriate relief. We, thus, dispose of the writ petition by giving liberty to the petitioner to move the National Green Tribunal for appropriate orders. Consequently, connected Miscellaneous Petition is also closed. No costs.

DP

-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

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Padappai,
Sriperumpudur Taluk-601 301.

8. The President,
Tharapakkam Village Panchayat Board,
Tharapakkam vilage, Chennai -128.

+ 1 cc to Mr.P.Palaniandy, Advocate SR 3620

+ 1 cc to M/s.Rita Chandrasekar, Advocate 3876

+ 1 cc to M/s.N.Samath, Advocate SR 3954

+ 1 cc to Govt.Pleader SR 4173

svi(co)
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