

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SATHYANARAYANAN

W.P. No.39841 of 2015

G.Siva Sankar

.. Petitioner

-vs-

1.The District Collector,
Vellore District.

2.The Commissioner,
Vellore Municipality,
Vellore.

3.The Chairman,
Tamil Nadu Pollution Control Board,
Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents from constructing a Corporation Wastage Dumping yard at Radhakrishnan Nagar / 14th Ward of the 2nd respondent Corporation.

For Petitioner : Ms.A.Anusuya

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, for R-1
: Mr.R.Muthukumarasamy, S.C.
For M/s.P.Shanthi, for R-2
: Ms.H.Yasmeen Ali for R-3

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O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The matter relates to construction of compost yard by the second respondent at Radhakrishnan Nagar / 14th Ward. Qua this issue, this Court disposed of a connected writ Petition being W.P.No.31836 of 2015 (bet. V.Satheesh Babu and The District Collector, Vellore District) today, with certain directions.

2.In the counter-affidavit filed on behalf of the third respondent, it is stated that the site for location of compost yard is located at the 14th Ward of Vellore Corporation and it is surrounded by vacant lands to a distance of 200 meters and thereafter, there is a residential area of Radhakrishnan Nagar in North direction and agricultural land to a distance of 500 meters and beyond that, Palar river is located and during inspection, it was observed that 75% of the construction activity of the composting shed has been completed as also the composting beds for the composting process.

3.But, the fact remains that it is yet to be made operational. This Court, in the order passed today in W.P.No.31836 of 2015 has directed the Vellore City Municipal Corporation to operate 23 completed sheds which are said to be functional as on date. Therefore, the garbage generated in the 14th Ward can also be processed in any one of the above said completed compost sheds. In so far as the shed which is under construction in the area in question is concerned, the Corporation shall complete the construction, but they can operate only after obtaining necessary permission under Rule 4 of the said Rules.

4.The Tamil Nadu Pollution Control Board is also directed to process the application submitted by the Vellore City Municipal Corporation as expeditiously as possible not later than two (2) weeks from the date of receipt of this order.

5.Writ Petition is disposed of in the aforesaid terms. No costs

6.List for compliance on 28.03.2016.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

1.The District Collector,
Vellore District.

2.The Commissioner,
Vellore Municipality, Vellore.

3.The Chairman,
Tamil Nadu Pollution Control Board, Chennai.

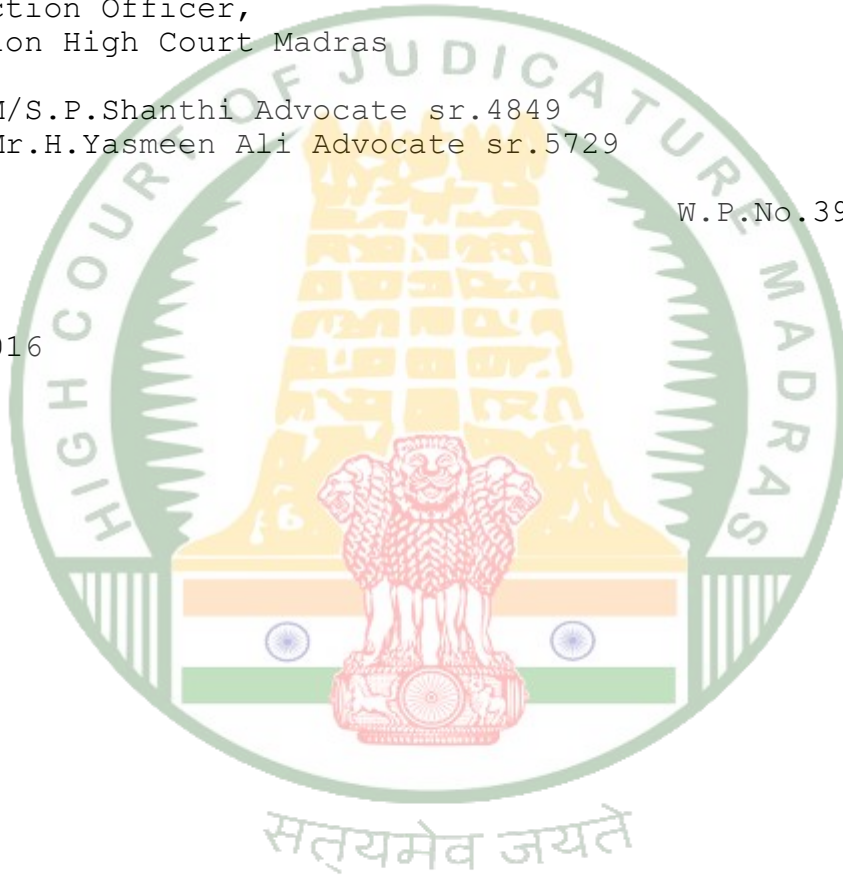
4. The Section Officer,
Writ Section High Court Madras

+1 cc to M/S.P.Shanthi Advocate sr.4849

+1 cc to Mr.H.Yasmeen Ali Advocate sr.5729

W.P.No.39841 of 2015

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