



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD) No. 16217 of 2015

and

M.P.(MD) No.1 of 2015

1. K.Habeetha ... Petitioner

-Vs-

1.The District Collector,
District Collector Office,
Tirunelveli District.

2.The Commissioner of Police,
O/o the Commissioner of Police,
Tirunelveli.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.30/2, SIDCO Industrial Estate,
Pettai,
Tirunelveli-10.

4.Mohamed Pathu ... Respondents

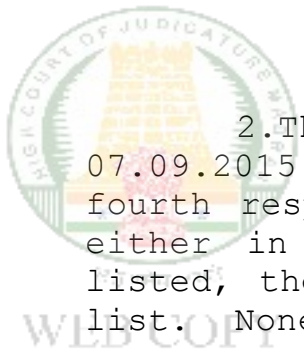
Prayer : This Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the Respondent No-1 relocate the 4th Respondent's flour mill situated in front of the petitioner's house in south Mohideen Pallivasal Street, Melapalayam, Tirunelveli by considering the petitioner's representation dated 19.08.2015.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents : T.S.Mohamad Mohaideen,
Addl. Govt. Pleader.
For R1 to R3

: No Appearance for R4

O R D E R

<https://hcservices.ecourts.gov.in/hcsprojects>
The petitioner seeks for a direction to the first respondent to relocate the 4th Respondent's flour mill situated in front of the petitioner's house.



2.This Court has ordered notice to the fourth respondent on 07.09.2015. It appears that though notice was served on the fourth respondent, he has not chosen to appear before this Court either in person or through counsel. Today when the matter is listed, the name of the fourth respondent is printed in the cause list. None appeared for the fourth respondent.

3.Since the petitioner has made the representation as early as on 19.08.2015 seeking for relocating the flour mill run by the fourth respondent, it is for the first respondent to consider and decide the request of the petitioner on its own merits and in accordance with law, after hearing the fourth respondent as well. This Court, at this stage, is not expressing any view on the claim made by the petitioner, as it is for the first respondent to consider the same.

4.Accordingly, this Writ Petition is disposed of with a direction to the first respondent to pass such an order within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To:

- 1.The District Collector,
District Collector Office,
Tirunelveli District.
- 2.The Commissioner of Police,
O/o the Commissioner of Police,
Tirunelveli.
- 3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.30/2, SIDCO Industrial Estate,
Pettai,
Tirunelveli-10.

+1cc to special Government Pleader SR.No.10947

skn

sm:MR:09/03/2017:2P/5C

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and

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