



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD)No.17847 of 2015

Govindarajan

... Petitioner

Vs.

1.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.3, 4th Cross Street,
Sriram Nagar,
Thanjavur - 613 004.

2.The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider the communication from the 1st respondent dated 12.11.2014 based on petitioner representation dated 09.10.2014.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.Ilamran, for R.1

O R D E R

This writ petition has been filed to issue a Writ of Mandamus to direct the second respondent to consider the communication sent by the first respondent dated 12.11.2014, based on the representation of the petitioner, dated 09.10.2014.

2. The case of the petitioner is that there is an Eversilver Manufacturing Unit, owned by one Senthil, nearby his residence. The same is running without obtaining necessary certificates from the Pollution Control Board, which led the petitioner to submit a complaint before the first respondent on



09.10.2014. Thereafter, the same has been forwarded to the second respondent herein by the first respondent vide proceedings in எண்.மா.ச.சு.பொ/த.நா.மா.க.வா/ தஞ்சை /புகார் எண்.02577/2014 dated 12.11.2014, upon which, no action has been taken so far, which led the petitioner to file this present writ petition.

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3. Heard the learned counsel for the petitioner and the learned counsel appearing for the first respondent.

4. Since, the third party namely, Senthil is not a party in this writ petition, the second respondent is directed to consider the complaint made by the petitioner dated 09.10.2014 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as to the said third party namely, Senthil, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merit as per law.

5. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

+One cc to Mr.D.Ramesh Kumar, Advocate, SR.No.65784

gk/smn

RL/3C/2P/SV/SAR1/24/7/2017

W.P (MD) No.17847 of 2015