



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.13117 of 2017

and

W.M.P (MD) No.10188 of 2017

K.S.Arokiasamy

.. Petitioner

Vs.

1. The District Collector,
New District Collector Office,
Thanjavur District.
2. The District Pollution Control Engineer,
Tamil Nadu Pollution Control Board,
Shed No.23, SIDCO Industrial Complex,
Nanjikottai Salai, Opposite to Ulavar Sandai,
Thanjavur - 613 006.
3. The Commissioner,
Pattukottai Corporation,
Thanjavur District.
4. The Health Inspector,
Corporation Office,
Pattukottai, Thanjavur District.
5. B.Selvaraj
6. B.Gunasekaran

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to take action against the respondents 5 and 6 and restrain them from running their Electrical Coir Manufacturing Spinning Factory illegally in their residential house.

For Petitioner : Mr.M.Kannan
For Respondents 1 to 4 : Mr.J.Gunaseelan Muthaiah,
Government Advocate.
R5 & R6 - Dispensed with.

ORDER



respondents 5 and 6 and restrain them from running their Electrical Coir Manufacturing Spinning Factory illegally in their residential house.

2.Mr.J.Gunaseelan Muthaiah, learned Government Advocate takes notice for the respondents 1 to 4. In view of the nature of the relief sought for by the petitioner, notice to the respondents 5 and 6 is dispensed with.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.

4.Heard both sides.

5.According to the petitioner, the respondents 5 and 6 are running an Electrical Coir Manufacturing Spinning Factory illegally in their residential house without getting proper permission from the competent authorities, which causes health hazards to the residents of the locality. The grievance of the petitioner is that since he made several representations to the respondents 1 to 4 for taking necessary action, there was no response, so far. Therefore, the petitioner is before this Court.

6.The learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 31.12.2016, is disposed of by the first respondent as per law.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 31.12.2016, with regard to pollution created by the Electrical Coir Manufacturing Spinning Factory run by the respondents 5 and 6 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 the respondents 5 and 6, within a period of six weeks from the date of receipt of a copy of this order. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice.

8.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/



To

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4. The Health Inspector,
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Pattukottai, Thanjavur District.

+1cc to Mr.M.Kannan, Advocate SR.No.65731

+1cc to J.Gunaseelan Muthaiah, Advocate SR.No.65857

SMN

VB/GT/SAR3/28.07.2017/3P/7C

ORDER MADE IN
W.P(MD)No.13117 of 2017
and
W.M.P(MD)No.10188 of 2017
17.07.2017