



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WEB COPY

W.P. (MD) No.18347 of 2017andW.M.P. (MD) No.14798 of 2017

M/s.K.R.V. Industries,
Rep. by its Proprietor,
Radhakrishnan,
8/3, Nagrampatti Village,
Sivagangai Taluk,
Sivagangai District.

... Petitioner

-Vs-

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sub-Divisional Magistrate,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
4. The Designated Officer,
Tamil Nadu Food Safety
and Drug Administration Department,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the 2nd respondent in his proceedings Na.Ka.No.A2/2055/2017 dated 07.06.2017 and quash the same on the ground that the same is arbitrary, illegal and without jurisdiction and consequently direct the 2nd respondent to drop all further proceedings pertaining to the subject matter referred in the impugned order.

For Petitioner

: Mr.R.Aravindan

For Respondents

: Mr.R.Velmurugan,

Government Advocate.

ORDER

Mr.R.Velmurugan, learned Government Advocate takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

WEB COPY

2. By the impugned order, the 2nd respondent directed the petitioner not to use the bore-well water for a period of three months, due to water shortage. Challenging the order, the petitioner has come up with the present Writ Petition.

3. When this Court pointed out that the period fixed in the impugned order has already expired and nothing survives in the Writ Petition, the learned counsel for the petitioner would submit that, even now, the respondents are not permitting the petitioner/Industry to run the business.

4. Though the writ petition has been filed, challenging the order of the second respondent, dated 07.06.2017, Mr.Aravindan, the learned counsel for the petitioner would submit that it would suffice if a direction is issued to the respondents to consider the grievance of the petitioner.

5. In the light of the above facts, the petitioner is directed to give a representation to the 2nd respondent by enclosing a copy of this order within a period of two weeks. On such compliance, the 2nd respondent shall consider the petitioner's representation and pass appropriate orders on its own merits and in accordance with law, after providing opportunity to all necessary parties, within a period of six weeks there from.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequentially, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Sub-Divisional Magistrate,

<https://hcservices.hcscourt.gov.in/hcservices/>

Sivagangai District.



3. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

4. The Designated Officer,
Tamil Nadu Food Safety
and Drug Administration Department,
Sivagangai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.81329

vs/dss

MK/SKN RSK/SAR-2/10.10.2017/3P/6C

W.P. (MD) No.18347 of 2017

and

W.M.P. (MD) No.14798 of 2017

27.09.2017