



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM

WEB COPY

THE HONOURABLE **MR.JUSTICE R.MAHADEVEN****W.P. (MD) .No.20633 of 2017****and****W.M.P. (MD)No.16899 of 2017**

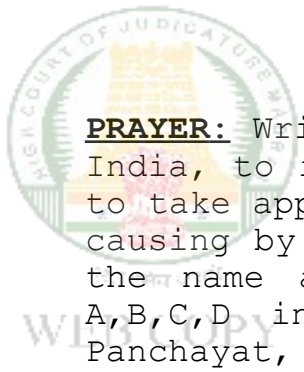
C.P.Boopathi

...Petitioner

Vs.

- 1.The Secretary,
Home Department,
St.George Fort, Chennai - 600 032.
- 2.The Chairman,
Tamil Nadu Pollution Contral Board,
No.76, Mount Salai,
Guidndy, Chennai - 600 032.
- 3.The District Collector,
Karur District, Karur.
- 4.The Revenue Divisional Officer,
Revenue Divisional Office,
Karur.
- 5.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Karur.
- 6.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Karur.
- 7.The Block Development Officer,
(Andankoil East), Karur.
- 8.The Tahsildar,
Manmangalam, Karur.
- 9.M/s.K.P.S.Hallow Bricks,
Represented by its Proprietor
Palanisamy son of Karumanan,
Tamil Nagar, Andankoil East,
Karur.

...Respondents



PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 8 to take appropriate steps to prevent the nuisance and health hazards causing by the ninth respondent by running hallow bricks company in the name and style of M/s. K.P.S.Hallow Bricks, in Plot No.11, A,B,C,D in S.F.No.553 situated at Tamil Nagar, Andankoil East Panchayat, Manmangalam Taluk, karur District, based on the petitioner's representation dated 03.09.2013 and 31.10.2017.

For Petitioner :Mr.S.Gokul Raj
 For Respondents :Given up for R.1
 Mr.T.S.Mohamed Mohideen
 Additional Government Pleader
 for R.2. to R.8.

O R D E R

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

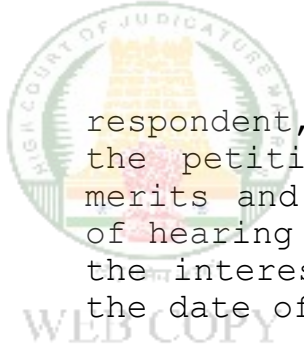
2. Heard the learned Counsel for the petitioner and Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, who takes notice for the respondents 1 to 8. Notice to the ninth respondent is dispensed with, as no adverse order is going to be passed and opportunity of hearing will be provided by the authorities, at the time of hearing.

3. The case of the petitioner is that there exists a hallow bricks company, by name M/s. K.P.S Hallow Bricks, the ninth respondent herein, near the locality of the petitioner, which causes nuisance as well as health hazards to himself and his family as well as the others in the vicinity. Therefore, the petitioner along with others have submitted several representations before the authorities for prohibiting the unauthorized functioning of the said company in the residential area, but, according to the petitioner, all their efforts ended in vain and hence, the petitioner is before this Court, seeking a direction to the authorities to dispose of the representation, on merits.

4. The learned Counsel for the petitioner fairly submits that the first respondent is only a formal party and there is no relief sought against the first respondent and hence, he is not pressing this petition as against the first respondent herein. The said statement is recorded.

5. At this juncture, the learned Additional Government Pleader, on instructions, submitted that the authority concerned is inclined to pass orders on the representation of the petitioner, within a stipulated time limit.

6. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the third



respondent, District Collector, to consider the representation of the petitioner dated 31.10.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the ninth respondent as well as all the interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Home Department, St. George Fort,
Chennai - 600 032.
2. The Chairman,
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Operation and Maintenance,
TANGEDCO,
Karur.
7. The Block Development Officer,
(Andankoil East), Karur.

8. The Tahsildar,
Manmangalam, Karur.

+1cc to M/s. S.GOKUL RAJ Advocate in SR. No. 86079

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86561

GK

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

JS/SKN.RSK/SAR.4/21.11.2017/3P-11C

W.P. (MD) .No.20633 of 2017

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