



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.2594 of 2017
and
W.M.P (MD) No.2160 of 2017

G.Rajesh

.. Petitioner

Vs.

1. The District Collector,
District Collector Office,
Kanniyakumari District,
Nagercoil.
2. The Revenue Divisional Officer,
Padmanabhapuram Division,
Thakkalai,
Kanniyakumari District.
3. The Director of Pollution Control Board,
Office of the Pollution Control Board,
Nagercoil.
4. The Director of District Health,
District Health Office,
Krishnankovil, Vadasery,
Nagercoil.
5. The Executive Officer,
Palapallam Town Panchayat Office,
Palapallam Post, Nagercoil.
6. The Executive Engineer,
Kanniyakumari District Electric Distribution
Regulation Board, Parvathipuram,
Nagercoil.
7. The Assistant Engineer,
Electric Distribution Regulation Board,
Chemponvilai,
Kulachal - II Division,
Thikanamcode PO.,
Kanniyakumari District.



8.T.Ramachandran
9.F.Prince

.. 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 7 to consider the petitioner's representation dated 06.02.2017 and 07.02.2017 to take action as against the eight and ninth respondents for commencement of saw mill in residential area of Door No.6-2A, EB connection No.113 at Velliavilai, Palapallam Post, Nagercoil.

For Petitioner	: Mr.K.Muraleedharan
For RR 1 to 6	: Mr.M.Govindan, Special Government Pleader.
For RR 7 & 8	: No appearance
For R - 9	: Mr.C.K.M.Appaji

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 7 to consider the representation dated 06.02.2017 alleged to have been given by the petitioner in respect of saw mill being run by the respondents 8 and 9 in Door No.6-2A, Velliavilai, Palapallam Post, Nagercoil, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has contended that the respondents 8 and 9 have been running a saw mill in the place mentioned in the petition and thereby created a perpetual nuisance to the petitioner and others. Under the said circumstances, a representation has been given on 06.02.2017 to the respondents 1 to 7. But the same has not been considered.

3.Considering the fact that a representation has been given on 06.02.2017 and the same has not been considered, this Court is inclined to pass the following order.

4.In fine, this writ petition is allowed without costs and the third respondent is directed to look into the representation dated 06.02.2017 and dispose of the same within a period of one month. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/



To

1. The District Collector,
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3. The Director of Pollution Control Board,
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Nagercoil.
4. The Director of District Health,
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7. The Assistant Engineer,
Electric Distribution Regulation Board,
Chemponvilai,
Kulachal - II Division,
Thikanamcode PO.,
Kanniyakumari District.

+ 1 CC TO Mr.K.MURALEEDHARAN, ADVOCATE IN SR No. 13146
+ 1 CC TO Mr.C.K.M.APPAJI, ADVOCATE IN SR No. 13909
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 13766

PS

TE/RR : 16/03/2017 : 3P/11C