



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.24983 of 2016

- 1.K.Periyasamy
- 2.K.Natarajan
- 3.S.Prabhakaran

.. Petitioners

Vs.

- 1.The District Collector,
Tiruchirapalli District,
Trichy - 01.

- 2.Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Road, Guindy,
Chennai - 600 032.

- 3.District Environment Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Thuvakudi, Trichy - 620 015.

- 4.Chief Controller of Explosives,
A Block, CGO Complex 5th Floor,
Seminary Hills,
Nagpur, Maharashtra - 440 006.

- 5.Vetrivel Explosives Pvt. Ltd.,
rep. by its Managing Director,
135-A, Kennedy Nagar,
Salem - 636 005.

.. 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 first respondent to consider the petitioner's representation dated 25.11.2016 and take necessary action against the fifth respondent including cancelling of license to operate and closure of the plant in T.Murungapatty Village, Thuraiyur Taluk, Trichy District.

For Petitioners

: Mr.K.Prabhakar

For Respondents 1 to 3

: Mr.M.Govindan,

Special Government Pleader.

**ORDER**

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

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This writ petition has been filed under Article 226 of the Constitution of India praying to direct the first respondent to consider the representation dated 25.11.2016 alleged to have been given by the petitioner, by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioners are the residents of T.Murungapatty Village, Thuraiyur Taluk, Tiruchirappalli District. Further it is averred in the petition that with regard to closure of the plant which situates in T.Murungapatty Village, Thuraiyur Taluk, Tiruchirappalli District, a representation has been given on 25.11.2016 to the first respondent. But the first respondent has not taken any steps. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents 1 to 3. Considering the nature of the relief sought in the writ petition, notice need not be sent to the respondents 4 and 5.

4.The learned counsel appearing for the petitioners has advanced his argument only on the basis of the representation dated 25.11.2016 alleged to have been given by the petitioners.

5.Considering the fact that a plant has been in existence in T.Murungapatty Village and also considering the fact that the petitioners have already given a representation dated 25.11.2016 with regard to its closure, the following order can be passed.

6.In fine, this writ petition is allowed in part without costs and the first respondent viz., District Collector, Tiruchirappalli District is strictly directed to look into the representation dated 25.11.2016 and after giving necessary opportunities to the persons concerned pass suitable order within a period of two months.

Sd/-

Assistant Registrar

/True Copy/



To

1.The District Collector,
Tiruchirapalli District,
Trichy - 01.

2.The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Road, Guindy,
Chennai - 600 032.

3.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Thuvakudi, Trichy - 620 015.

+1cc to Mr.K.Prabhakar, Advocate in SR NO.640/17

+1cc to the Spl.govt.Pleader in SR No.488/17

ORDER MADE IN
W.P (MD) No.24983 of 2016
02.01.2017

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anr/rr-me/18.01.2017/3p/6c