

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2018
CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.5733 of 2018

P.Prem Anand

...Petitioner

Vs.

1. The District Collector,
Kanchipuram District, Kanchipuram.
 2. The Commissioner,
Sithambur Panchayat Union,
Sothupakkam Panchayat,
Kancheepuram District.
 3. Hotel New Vinayaga Bhavan,
Next to Bank of India ATM,
Vandhavasi Road, Sothupakkam,
Melmaruvathur Post,
Kancheepuram District-603 319.
- ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 1st respondent to take appropriate action on the 3rd respondent based on the petitioner's representation dated 03.08.2017.

For Petitioner : M/s.M.Selvam
For Respondents : Mr.V.Shanmuga Sundar,
Spl.G.P. (for R1)
Mr.B.Anandan, G.A. (for R2)

ORDER

The petitioner has come up with this petition for issuance of a Writ of Mandamus to direct the 1st respondent to take appropriate action on the 3rd respondent, based on his representation dated 03.08.2017.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the 1st respondent and the learned Government Advocate appearing for the 2nd respondent. By consent of both sides, the writ petition is taken up for final hearing.

3. The learned counsel for the petitioner submitted that the 3rd respondent, without getting licence from the local authority, is running a hotel in an unhygienic manner, which results in health hazard to general public. It is further submitted that the complaint given to the Pollution Control Board was forwarded to the 2nd respondent for taking necessary action, but so far, no action has been taken. Hence, the present writ petition.

4. The learned counsel for the 2nd respondent submitted that if a fresh representation is given, they are ready to take appropriate action.

5. In the light of the above prayer sought for in the writ petition and the submission of the learned counsels on either side, this Court, without going into the merits of the case, directs the petitioner to give fresh representation to the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order. On such compliance, the 2nd respondent shall take appropriate action on the same on merits and in accordance with law, after providing an opportunity of hearing to the petitioner as well as the 3rd respondent.

6. With the above observation and direction the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Kanchipuram District, Kanchipuram.

2. The Commissioner,
Sithambur Panchayat Union,
Sothupakkam Panchayat,
Kancheepuram District.

+1cc to Mr.M.Selvam, Advocate, S.R.No.19136
+1cc to the Government Pleader, S.R.No.20092

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RRK(20/03/2018)