

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.07.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.22255 of 2017
and W.M.P.No.23363 of 2017

P.Periyathambi

..Petitioner

Vs

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Namakkal Division,
Namakkal.

3.The Block Development Officer,
Vennandhur Block,
Vennandhur,
Rasipuram Taluk.

4.P.Manickam.

..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the third respondent to take action against the fourth respondent for running an illegal pig farm in Pudupalayam Village, Rasipuram Taluk, Namakkal District.

For Petitioner : Mr.A.E.Ravi Chandran
For Respondents : Mr.B.Anand
Government Advocate for R1 and R2
Mr.O.Selvam for R3
Mr.S.Sairaman for R4

ORDER

Heard Mr.A.E.Ravi Chandran, learned counsel for the petitioner, Mr.B.Anand, learned Government Advocate for the respondents 1 and 2, Mr.O.Selvam, learned counsel for the third respondent and Mr.S.Sairaman, learned counsel for the fourth respondent and perused the materials available on record.

2. The prayer sought for in this writ petition is for issuance of writ of mandamus, directing the third respondent to take action against the fourth respondent for running an illegal pig farm at Pudupalayam Village, Rasipuram Taluk, Namakkal District.

3.The learned counsel for the petitioner submitted that the petitioner is the owner of the agricultural land measuring an extent of 2.75 acres comprised in S.No.63/1C, 1D, 64/5B situated at Pudupalayam Village and the petitioner is doing agricultural work for his livelihood. He would further submit that the fourth respondent is running a pig farm without any licence and the representation of the petitioner given to the third respondent in this regard was not considered. He would further submit that it would suffice, if a direction is issued to the third respondent to consider the grievance of the petitioner.

4. The learned counsel for the third respondent submitted that the representation of the petitioner would be considered in accordance with law.

5. The learned counsel for the fourth respondent submitted that the fourth respondent is running a pig farm without causing any hindrance or any health hazardous to local public. He would further state that he is ready to participate in the enquiry to be conducted by the third respondent.

6. In the light of the above submissions and also considering the nature of prayer sought for in this writ petition, this Court, without going into the merits of the case, directs the third respondent to consider the representation of the petitioner dated 16.5.2017, on merits and in accordance with law, after affording an opportunity to all necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(cs VIII)

// True Copy//

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Sub Assistant Registrar

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To

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Namakkal Division,
Namakkal.

3.The Block Development Officer,
Vennandhur Block,
Vennandhur,
Rasipuram Taluk.

+lcc to M/s.A.E.Ravi Chandran, Advocate Sr.No.48331
+lcc to Mr.V.Illanchezan, Advocate Sr.No.47944
+lcc to Government Pleader Sr.No.48531

sm:6.8.2018

W.P.No.22255 of 2017
and
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