

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.15329 of 2018

V.Balakrishnan

..Petitioner

Vs

1. The District Collector,
District Collector Office,
Thiruvallur District,
Thiruvallur - 602 001.
 2. The Commissioner,
Avadi Municipality,
New Military Road,
Avadi,
Chennai - 600 054.
 3. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy,
Chennai - 600 032.
 4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
77-A, South Avenue Road,
Ambattur Industrial Estate,
Ambattur,
Chennai - 600 053.
 5. Mr.Edward
- ..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondents 1 to 4 to take action against the 5th respondent pursuant to the petitioner's representation dated 02.03.2018.

For Petitioner : Mr.R.Thirumoorthy
For Respondents : Mr.V.Shanmuga Sundar, Spl.G.P., for R1
Mr.P.Srinivas, for R2
Mrs.Rita Chandrasekar, for RR3 & 4

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ORDER

Heard the learned counsel for the petitioner, learned Special Government Pleader appearing for the 1st respondent, the learned Standing Counsel for the 2nd respondent and the learned Standing Counsel for the respondents 3 & 4.

2. The petitioner has come up with this writ petition seeking direction to the respondents 1 to 4 to take action against the 5th respondent, based on his representation dated 02.03.2018.

3. The case of the petitioner is that he is a Senior Citizen of 71 years and he has been residing in Devi Nagar, Thirumullaivoyil for more than 30 years. While so, the fifth respondent is carrying on commercial activities in the residential area without any licence. The representation given to the respondents on 02.03.2018 to take action against the illegal act of the 5th respondent was not considered. Hence the present petition.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to take appropriate action on the representation of the petitioner.

5. The learned Standing Counsel for the respondents submitted that preliminary enquiry would reveal that the 5th respondent is carrying on business without licence and they are ready to take appropriate action on the representation of the petitioner.

6. In the light of the above submissions of the learned counsels, and the nature of prayer sought for in the writ petition, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 02.03.2018, and take appropriate action on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of six weeks.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

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Thiruvallur - 602 001.

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4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
77-A, South Avenue Road,
Ambattur Industrial Estate,
Ambattur,
Chennai - 600 053.

+1cc to Mr.R.Thirumoorthy, Advocate sr.no.45426
+1cc to Mrs.Rita Chandrasekar, Advocate sr.no.45415
+1cc to Mr.P.Srinivas, Advocate sr.no.46032
+1cc to Government Pleader sr.no.45762

W.P.No.15329 of 2018

nr 23/07/2018

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