

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:12.12.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.32798 of 2018

and

W.M.P.No.38011 of 2018

K.Subramani

... Petitioner

Vs.

1.The Collector,
Vellore District,
Sathuvachari,
Vellore 632 102

2. The Commissioner,
Walajapet Municipality,
Vellore District

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to shift the Garbage Tank from North Eastern corner to South Eastern corner of the proposed park at Rajiv Gandhi Nagar, Walajapet, Vellore District as claimed by the petitioner in the representation dated 17.11.2018.

For Petitioner : Mr. K.Mohanamurali

For Respondents : Mr. V.Prabhu,
Government Advocate,
for R1

:Mr.S.Kamalashkannan.
Government Advocate,
for R2

WEB COPY O R D E R

This writ petition has been filed seeking a direction to the respondents to shift the Garbage Dumping Yard from the North Eastern Corner to South Eastern corner, in a park, at Rajiv Gandhi Nagar, Walajapet, Vellore.

2. The grievance of the petitioner is that the second respondent Municipality is constructing a Dumping Yard inside the park adjacent to the temple and it will cause pollution to the entire area. Hence, he made a representation to the first

respondent District Collector on 17.11.2018. But, without considering the same, the second respondent proposed to construct the Garbage Dumping Yard. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the second respondent, on instructions, submitted that the respondents have constructed a waste pit in the park and they are only going to dump the wastes collected in the park and the collected wastes of the park will be removed by the municipality periodically.

4. The learned counsel for the petitioner submitted that the petitioner has already made a representation to the District Collector, but the same was not considered so far, and it would suffice if the first respondent District Collector is directed to consider the petitioner's representation and pass suitable orders.

5. I have considered the rival submissions and perused the materials available on record.

6. Considering the limited prayer sought for by the petitioner, without going into the merits of the case, the first respondent is directed to consider the petitioner's representation and pass suitable orders on merits and in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The Collector,
Vellore District,
Sathuvachari,
Vellore 632 102

2. The Commissioner,
Walajapet Municipality,
Vellore District

+1cc to Mr.K.Mohanamurali, Advocate, S.R.No.85652

+1cc to the Government Pleader, S.R.No.86726

W.P.No.32798 of 2018

GSP(11/02/2019)