



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2018

CORAM:

THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH

and

THE HONOURABLE Mr. JUSTICE N.SATHISH KUMAR

W.P. (MD) No.18560 of 2018

and W.M.P. (MD) Nos.16419 of 2018

A.Balasubramanian

...Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Commissioner,
Madurai Corporation,
Madurai.

3.The Commissioner of Police,
Madurai.

4.The Tahsildar,
Thirupparankundram,
Madurai.

5.The Inspector of Police (L & O),
C2, Subramaniapuram Police Station,
Madurai - 3.

6.The Regional Transport Officer,
Madurai Central, Madurai.

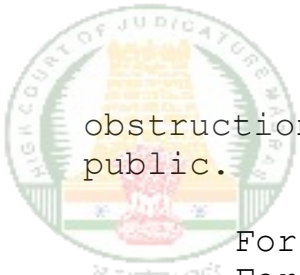
7.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate, Kappalur, Madurai.

8.Vinayaga Traders,
Rep.by its Proprietor S.M.Arumugam

9.Ganesan

...Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7 to take necessary action against the respondents 8 and 9 and their associates by preventing them from creating sound and air pollution, public health hazards and nuisance and making



obstruction to the free flow of vehicular traffic to the general public.

For Petitioner: Mr.S.Arivalagan

For Respondent: Mr.N.Shanmugaselvam, AGP for R1, R3 to R7

Mr.T.S.Md.Mohideen for R2

Mr.S.Thangaraj for R8 and R9

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ORDER

(Order of the Court was made by M.M.SUNDRESH,J.)

This Writ petition has been filed on the premise that without obtaining necessary orders from the appropriate authorities, the respondents 8 and 9 are running their units and thereby causing pollution.

2.From the records it appears that a communication has been sent from the Pollution Control Board to the Commissioner, Corporation of Madurai, Madurai to take appropriate action.

3.We are concerned with two issues. One is with respect to obtain permission for running any unit involving commercial or industrial activity and the other is with respect to pollution caused. Thus we call upon both the respondents 2 and 7 to take appropriate action against the respondents 8 and 9. Such exercise will have to be done within a period of 6 weeks from the date of receipt of a copy of this order. Inasmuch as the respondents 2 and 7 have already issued notice, the respondents 8 and 9 will have to respond it within a period of 4 weeks from the date of receipt of a copy of this order. The Writ petition is disposed of accordingly. No costs. Consequently, connected W.M.P.is closed.

Sd/-

Assistant Registrar (CS-III)

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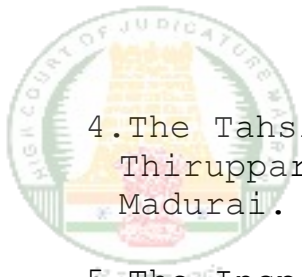
Sub Assistant Registrar(CS-II)

To

1.The District Collector,
Madurai District.

2.The Commissioner,
Madurai Corporation,
Madurai.

3.The Commissioner of Police,
Madurai.



4.The Tahsildar,
Thirupparankundram,
Madurai.

5.The Inspector of Police (L & O),
C2, Subramaniapuram Police Station,
Madurai - 3.

6.The Regional Transport Officer,
Madurai Central, Madurai.

7.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Kappalur, Madurai.

- + 1 CC TO MR.S.ARIVALAGAN, ADVOCATE IN SR NO.91439
- + 1 CC TO MR.S.THANGARAJ , ADVOCATE IN SR NO.91622
- + 1 CC TO MR.T.S.MOHAMED MOHIDHEEN, ADVOCATE IN SR NO.90988
- + 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.91657

nbj

BU/PM/SAR-2 :19.11.2018 : 3P/12C

W.P. (MD) No.18560 of 2018
22.10.2018