

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.5940 of 2010

B.Mohan Reddy

... Petitioner

vs.

1. The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai 600 032.
2. The District Collector,
Vellore District,
Sathuvachari,
Vellore.
3. The District Environmental Engineer,
Pollution Control Board,
RDR Complex,
Vellore District.
4. The Executive Officer,
Gandhi Nagar Panchayat,
Vellore.

(Cause Title amended as per order dated 15.12.2011
in M.P.No.1 of 2011 in W.P.No.5940 of 2010)

5. M/s.Shivasakthi Enterprises,
4117, Gandhi Nagar,
Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of Mandamus, directing the Respondents 1 to 3 to seal the industrial unit of the 5th Respondent, which is functioning at Gandhi Nagar, Katpadi Village, Vellore.

For Petitioner

: Mr.P.Chandrasekar

For Respondents 1 & 3

: Mr.Abdul Saleem

For Respondents 2 & 4 : Mr.Akhil Akbar Ali,
Government Advocate

For 5th Respondent : Mr.R.D.Ashok Kumar,
for Mr.V.Madhavan

O R D E R

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

The Writ Petition has been filed on the premise that the 5th Respondent is running a Unit without renewal permit and consent.

2. Now, an affidavit has been filed by the 5th Respondent and the following statement has been made.

"7. I am on record that the 5th Respondent has cancelled its TIN on 29.07.2011 itself. This apart, on our request, the BHEL has de-listed the 5th Respondent enterprises. The 5th Respondent enterprise has stopped its business from 2016 onwards. As on today, the 5th Respondent enterprise is not functioning."

3. In view of the above, nothing survives for consideration. However, we make it clear that the 5th Respondent shall not commence operation without necessary permission/consent from the appropriate authority.

4. With the above observation, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected M.P.No.1 of 2010 is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai 600 032.
2. The District Collector,
Vellore District, Sathuvachari, Vellore.

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3. The District Environmental Engineer,
Pollution Control Board, RDR Complex, Vellore District.
4. The Executive Officer,
Gandhi Nagar Panchayat, Vellore.

+1cc to Mr.Abdul Saleem , Advocate SR.No. 97185

+1cc to Mr.V.Madhavan , Advocate SR.No. 96489

+1cc to Mr.P.Chandrasekar , Advocate SR.No. 96765

W.P.No.5940 of 2010

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A.SK(06/01/2020)



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