

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.12631 of 2019

R.Ravikumar

..Petitioner

Vs

- 1.The District Collector
Coimbatore District
Coimbatore
- 2.The Deputy Superintendent of Police
Pollachi Taluk
Pollachi
Coimbatore District
- 3.The Inspector of Police
West Police Station
Pollachi
- 4.The Assistant Director of Town and Country Planning
Coimbatore District
Coimbatore
- 5.The Municipal Health Officer
Pollachi Municipality
Polachi
- 6.V.Mahendran

..Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to take appropriate legal action against the 8th respondent creating noise pollution causing serious health hazard to the Petitioner and family members and other residents of Kattabomman Street, Pollachi, Coimbatore District, in the light of orders issued by the 6th respondent in Na.Ka.No.H2/344/2018 dated 23.01.2018, based on the representation submitted by the petitioner dated 10.10.2018 forthwith, within a time frame to be fixed by this court.

For Petitioner : Mr.Sankaran, G.

For Respondents : Mr.B.Anand, Government Advocate
for R4
Mr.V.Shanmuga Sundar
Special Government Pleader
for R1 to R3 and R5 and R6.

ORDER

This Writ Petition is filed praying to issue a writ of Mandamus to direct the respondents to take appropriate legal action against the 8th respondent for causing serious health hazard to the Petitioner and other residents of Kattabomman Street, Pollachi, Coimbatore District, in the light of orders issued by the 6th respondent in Na.Ka.No.H2/344/2018 dated 23.01.2018, based on the representation submitted by the petitioner dated 10.10.2018 forthwith, within a time frame to be fixed by this court.

2. It is the case of the petitioner that 8th respondent established a small scale industrial unit and indulging in lathe work and causing unbearable noise pollution. In this regard, Petitioner submitted a representation dated 10.0.2018 to the authorities and also filed complaint to the 2nd respondent as well as 7th respondent, but no action has been taken. Hence, this Writ Petition.

3. The learned Government Advocate appearing for Respondent No.4 submits that the petitioner's representation will be considered in accordance with law and after holding enquiry, necessary orders will be passed.

4. Considering the limited scope of the prayer sought for in this Writ Petition, without going into the merits of the matter, this court is inclined to direct the 4th respondent, to consider the Petitioner's representation dated 10.10.2018, and pass appropriate orders, on merits and in accordance with law, after providing due opportunity to the parties concerned, as early as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above observation. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

- 1.The District Collector
Coimbatore District, Coimbatore
 - 2.The Deputy Superintendent of Police
Pollachi Taluk, Pollachi
Coimbatore District
 - 3.The Inspector of Police
West Police Station, Pollachi
 - 4.The Assistant Director of Town and Country Planning
Coimbatore District , Coimbatore
 - 5.The Municipal Health Officer
Pollachi Municipality, Polachi
- + 1 cc The Government Pleader Sr.No.41214

WP.12631 of 2019

SVI (CO)

RRI 08/06/2019

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