

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.1355 of 2018

K. Panachanathan .. Petitioner

Vs

- 1 The Collector
Vellore District
- 2 The Deputy Director of Town &
Country Planning Department
Vellore Region, Vellore.
- 3 The District Environmental Engineer
Tamil Nadu pollution Control Board
392, RDR Complex, CL Road
Vaniyambadi
Vellore District.
- 4 The Jeyam Metals Industries
Rep. by its Proprietor, D Jamuna
W/o. Deenadayalan
Plot No.110/3B1, Ramalai post
Gudiyatham Taluk, Vellore District. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the second respondent to take suitable action against the fourth respondent forthwith in terms of his show cause notice dated 30.05.2014 issued in Na.Ka.No.625/11/Ve Ma.

For Petitioner : Mr.P.Thirumoorthy

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c.)
for respondents 1 and 2

Mr.Abdul Saleem
for 3rd respondent

Mr.K.Rahavan
for 4th respondent

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.P.Thirumoorthy, learned counsel for the petitioner; Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) for respondents 1 and 2; Mr.Abdul Saleem, learned counsel for the third respondent and Mr.K.Rahavan, learned counsel for the fourth respondent.

2. The petitioner is seeking direction to the second respondent to take suitable action against the fourth respondent in terms of the show cause notice dated 30.05.2014 issued in Na.Ka.No.625/11/Ve Ma.

3. The learned Government Pleader (i/c.) has tendered an affidavit of the second respondent, wherein it is stated that notice under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971 was issued to the fourth respondent on 30.5.2014, however, the fourth respondent has filed an appeal in relation to the notice dated 30.5.2014. It is stated that hearings have also taken place in the said appeal, however, the appeal is still pending.

4. It may be noted that the Tamil Nadu Pollution Control Board has also taken action for disconnection of the service connection to the fourth respondent.

5. Thus, it is seen that the authorities have taken action in relation to the structure put up by the fourth respondent.

In view of the above, no further orders are necessary at this stage. The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.1726 of 2018 is closed.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

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To:

- 1 The Collector, Vellore District
- 2 The Deputy Director of Town & Country Planning Department
Vellore Region, Vellore.
- 3 The District Environmental Engineer
Tamil Nadu pollution Control Board
392, RDR Complex, CL Road
Vaniyambadi
Vellore District.

+2cc to Mr.K.Rahavan, Advocate SR.No.27041

+1cc to Mr.P.I.Thirumoorthy, Advocate SR.No.27327

+1cc to Government Pleader SR.No.27210

W.P.No.1355 of 2018

AK(CO)
GMY(09/04/2019)

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