

W.M.P.No.16889 of 2019
in W.P.No.1505 of 2019

R.SUBBIAH, J.

AND

C.SARAVANAN, J.

(The Order of the Court was made by R.Subbiah,J)

The above miscellaneous petition has been filed seeking an order of extension of time to rectify the defects in the petitioner's Unit.

2. The learned counsel for the petitioner submitted that though this Court passed an order on 18.03.2019 in W.P.No.1505 of 2019 directing the petitioner to rectify the defects in the Unit as pointed out by the first respondent/Tamil Nadu Pollution Control Board within a period of three months from the date of receipt of a copy of the order, the same could not be carried out, since the order copy was made ready only on 26.03.2019 and the petitioner forwarded the same to the first respondent/Tamil Nadu Pollution Control Board on 22.04.2019. The first respondent directed the Electricity Board to restore the power supply to the petitioner's unit. Electricity Board has restored the power supply to the petitioner's premises only on 23.04.2019. During the process of rectifying the defects by the petitioner, the third and fourth respondents, contrary to the undertaking given by them before this Court, have obstructed the petitioner from carrying out the rectification work.

In view of the delay in electricity connection and obstruction by the third and fourth respondents, the rectification work could not be fulfilled by the petitioner. Hence the petitioner sought for a further period of two months time to complete the work.

3. At this juncture, the learned counsel appearing for third and fourth respondents submitted that when this Court had specifically stated in the order dated 18.03.2019 in W.P.No.1505 of 2019 that the petitioner is permitted to carry out the rectification of the defects in the Unit in the presence of third and fourth respondents, the petitioner, without giving any notice to the third and fourth respondents, had started to carry out the rectification work and thus the learned counsel for the third and fourth respondents opposed for grant of extension of time to the petitioner.

4. The learned counsel for the petitioner submitted that the rectification work has not been completed so far and still a major portion of the defects had to be rectified and the petitioner is prepared to give notice to the third and fourth respondents within a period of one week from the date or receipt of a copy of this order, to enable the third and fourth respondents to be present in the petitioner's Unit while carrying out the rectification work.

5. In view of the above submission made by the learned counsel for the petitioner, this Court grants a further period of two months from today to complete the rectification work from the date of receipt of a copy of this order and the petitioner shall send the notice to the third and fourth respondents to enable them to be present in the petitioner's Unit, within a period of one week and on such issuance of notice by the petitioner to the third and fourth respondents, the petitioner shall carry out the rectification work in their presence.

6. With the above observations/direction, this petition is disposed of.

(R.P.S.J.,)

(C.S.N.J.,)

03.07.2019

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Office to note:

Issue order copy by 10.07.2019

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AND
C.SARAVANAN, J.

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