



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31304 of 2019
and
W.M.P. No. 31457 of 2019

K. Nandhagopal

... Petitioner

-vs-

1. The District Collector,
Tiruvallur District, Tiruvallur.
2. The Revenue Divisional Officer,
Ponneri, Tiruvallur District.
3. The Tahsildar,
Gummidipoondi Taluk,
Gummidipoondi,
Tiruvallur District.
4. The Block Development Officer,
Gummidipoondi,
Gummidipoondi Taluk,
Tiruvallur District.
5. S.K. Engineering Industries,
Rep. by its Proprietor,
K. Dharman,
S/o. Krishnan,
Autolack Nagar,
New Gummidipoondi,
Gummidipoondi Taluk,
Tiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First to Fourth Respondents to take appropriate action against the Fifth Respondent industry situated at Autolack Nagar, New Gummidipoondi, Gummidipoondi Taluk, Tiruvallur District.

For Petitioner : Mr. C. Prakasam
For Respondents: Mr. R. Venkatesh,
Government Advocate (for R1 to R3)



WEB COPY

Ms. M. Lalitha,
Government Advocate (for R4)

Mr. N.R. Anantharamakrishnan (for R5)

O R D E R

The Writ Petition has been filed for a direction to the First to Fourth Respondents to take appropriate action against the Fifth Respondent industry situated at Autolack Nagar, New Gummidipoondi, Gummidipoondi Taluk, Tiruvallur District.

2. Learned Counsel appearing for the Fifth Respondent states that the Tamil Nadu Pollution Control Board by proceedings No. T1/TNPCB/ O&G/F-023403/OS/GMP/2019 dated 21.10.2019 in exercise of powers conferred under Section 5 of the Environment (Protection) Act, 1986, as amended, in connection with the same grievance sought to be ventilated by the Petitioner against the Fifth Respondent, has issued following directions to the Fifth Respondent for due compliance:-

- (i) the unit shall shift all its activities to the new location within a period of 6 months;
- (ii) the unit shall ensure that its activity does not attract any complaints from the nearby public; and
- (iii) the unit shall provide necessary noise pollution control measures in order to control noise pollution, if any.

It is further informed by the Learned Counsel for the Fifth Respondent that the aforesaid conditions would be fully complied by 30.04.2020.

3. Learned Counsel for the Petitioner submits that the Petitioner would be satisfied if the rights of the Petitioner to seek redressal against the non-compliance by the Fifth Respondent of the aforesaid conditions within that time limit, is not fettered.

4. Recording the aforesaid submissions made by the Learned Counsel for the Petitioner and the Fifth Respondent, the Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar



To

1. The District Collector,
Tiruvallur District,
Tiruvallur.
2. The Revenue Divisional Officer,
Ponneri,
Tiruvallur District.
3. The Tahsildar,
Gummidipoondi Taluk,
Gummidipoondi,
Tiruvallur District.
4. The Block Development Officer,
Gummidipoondi,
Gummidipoondi Taluk,
Tiruvallur District.

+1 CC to Mr.C. Prakasam, Advocate sr 104354.

+1 CC to The Govt. Pleader sr 104495.

+1 CC to Mr.N.R. Anantharamakrishnan, Advocate sr 104115.

W.P. No. 31304 of 2019

VD(CO)
SP(09/01/2020)