

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2019

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Writ Petition No.33211 of 2018

R.Karpagam

... Petitioner

vs.

1.District Collector,
Villupuram,
Villupuram District.

2. Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

3. Commissioner,
Kallakurichi Municipality,
Kallakurichi,
Villupuram District.

4. Bhavaneswaran

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to pass order on the representation of the petitioner dated 30.11.2018.

For Petitioner	:	Mr.S.Gunaseelan
For Respondents	:	Mr.R.Govindasamy (R1 and R2) Additional Government Pleader Mr.E.Balamurugan (R3) Special Government Pleader

ORDER

This Writ Petition is filed seeking to direct the third respondent to pass orders on the representation of the petitioner dated 30.11.2018

2. The case of the petitioner is that fourth respondent is running a factory of preparing snacks, sweets and cakes and the smoke coming from the said factory and the waste let in by the fourth respondent in the ground is causing the air pollution and the water pollution in the said area. Therefore, he made a representation to the Pollution Control Board and in response to the said representation, the Pollution Control Board has sent a letter to the third respondent on 29.11.2018 to take action against the fourth respondent under the Public Health Act and Municipalities Act. But, no action has been taken by the third respondent. Again the petitioner has submitted representation to the concerned authorities on 30.11.2018. As the same also did not evoke any response, the Petitioner has filed the present writ petition before this Court seeking the aforesaid relief.

3. Despite the notice being served on the fourth respondent through court, the fourth respondent has not chosen to appear before

this Court either through counsel or in person.

4. Heard Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.E.Balamurugan learned Special Government Pleader appearing on behalf of the third respondent.

5. Considering the limited scope of relief sought for in this Writ Petition, without expressing any opinion on the merits of the case, the third respondent is directed to consider the representation of the petitioner dated 30.11.2018, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner as well as the parties concerned. The petitioner shall also furnish the copy of the representation to the third respondent along with the copy of this order.

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D.KRISHNAKUMAR,J.

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6. The Writ Petition is disposed of, on the above terms. No order as to costs.

18.02.2019

Speaking/Non-speaking order

Index : Yes / No

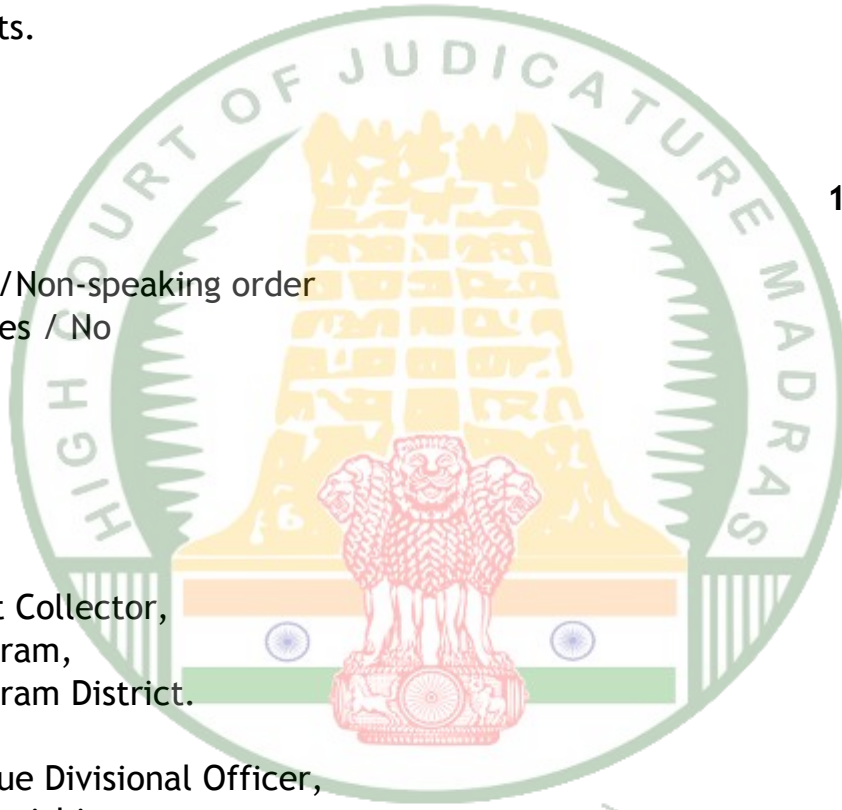
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To

1.District Collector,
Villupuram,
Villupuram District.

2. Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

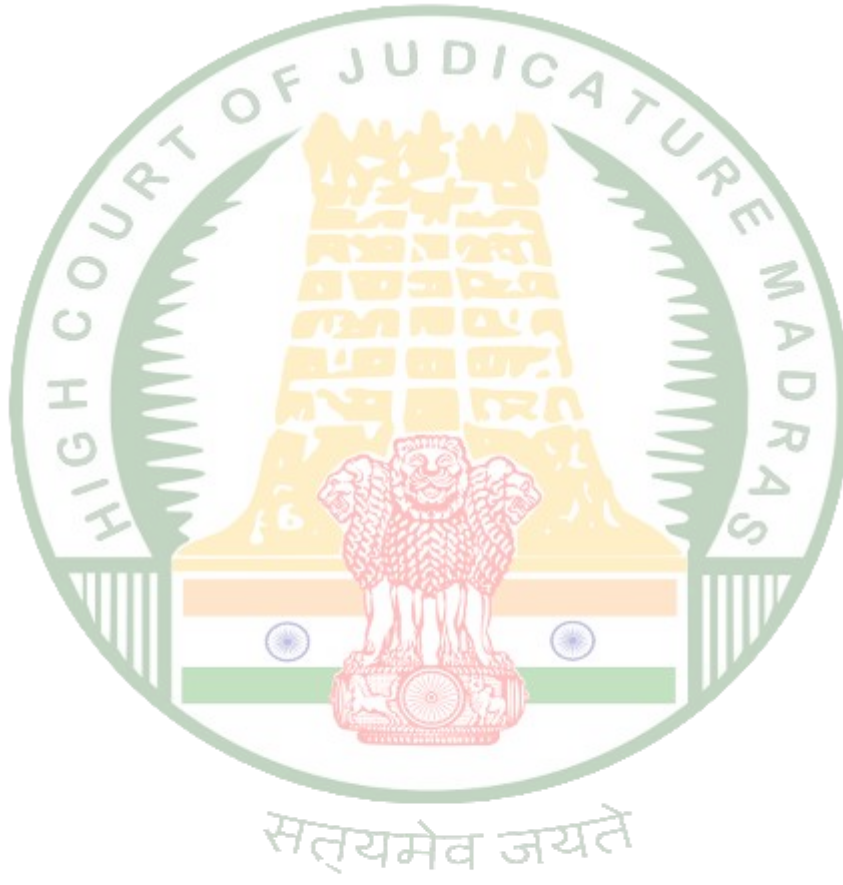
3. Commissioner,
Kallakurichi Municipality,
Kallakurichi,
Villupuram District.



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