



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.6392 of 2019

and

W.M.P. (MD) No.5096 of 2019

P.B.Venkateshwaran

... Petitioner

Vs

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Commissioner,
Rajapalayam Municipality,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbear the respondents from constructing garbage unit (Fertilizer Park) within the residential area at Rajapalayam Municipal office, T.P.Mills Road, Rajapalayam, Virudhunagar District based on the petitioner's representation dated 23.02.2019.

For Petitioner : Mr.S.Karthik

For R1 : Mr.R.Sethuraman,
Special Government Pleader

For R2 : Mr.N.Dilip Kumar

ORDER

Heard the learned counsel on either side.

2.The second respondent municipality intends to put up a Micro composed centre inside their municipality office compound. The same is opposed by the petitioner on the ground that his house is located nearby.

3.As rightly contended by the learned standing counsel appearing for the respondents, the policy that has now been introduced is to de-centralize the treatment of Biodegradable Waste. Since the members of the general public are having certain apprehensions, inorder to allay the same, the Rajapalayam Municipality has proposed to set up the unit within their campus itself. The petitioner's rights are no way infringed.

<https://hcservices.ecourts.gov.in/hcservices/>

4.I am of the view that the respondents cannot be restrained



from going ahead with the petition mentioned project. I find no ground to interfere.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

The District Collector,
Virudhunagar District,
Virudhunagar.

+1cc to Mr.N.DILIP KUMAR, Advocate, SR.No.55038
+1cc to Mr.S.Karthik, Advocate, SR.No.55027
+1cc to M/s.Special Government Pleader, SR.No.55337

W.P. (MD) No. 6392 of 2019

and

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19.03.2019

PNN

KK/SAR/04.04.2019/ 2P- 5C