



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.12951 of 2019

K.Thangaiyan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Revenue Divisional Officer,
Nagercoil
Kanyakumari District.

3.The Tahsildar,
Vilavancode Taluk
Vilavancode,
Kanyakumari District.

4.The Village Administrative Officer,
Killiyur Village,
Killiyur
Kanyakumari District.

5.Kishor

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to stop the Hollow Bricks Unit put up by the 5th respondent in Neduvilai, Vellaiyampalam, Killiyur Post, Kanyakumari District, by considering the petitioner's representation dated 20.05.2019.

For Petitioner
For Respondents

:Mr.N.Pragalathan
:Mr.M.Murugan for R1 to R4
Government Advocate
Mr.T.Selvakumaran for R5

ORDER

The prayer in the Writ Petition is for a Writ of Mandamus to direct the 1st respondent to stop the Hollow Bricks Unit put up by the 5th respondent in Neduvilai, Vellaiyampalam, Killiyur Post, Kanyakumari District, by considering the petitioner's representation dated 20.05.2019.



2. Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1 to 4 and the learned counsel for the fifth respondent.

3. It seems that, the fifth respondent, in order to have a hollow bricks unit at Neduvilai, Vaillaiyampalam, Killiyur Post, Kanyakumari District, had given an application to the Executive Officer, Killiyur Panchayat, and the same is pending with the said authority for consideration.

4. In the meanwhile, the petitioner, who is the neighbour of the 5th respondent, seems to have made an objection by way of representation dated 20.05.2019 to the respondents 1 to 4 and in that score, the grievance of the petitioner is that, if the objection/representation dated 20.05.2019 made by the petitioner is considered by the respondents 1 to 4 before deciding the issuance of license to the fifth respondent as claimed by him, the petitioner would be satisfied.

5. I have considered the submissions made by the learned counsel for the parties.

6. Having regard to the said submissions made by the parties through their respective learned counsel and taking into account the innocuous nature of the issue raised in this writ petition, this Writ Petition is disposed of with the following directions:

"That the official respondents 1 to 4 shall consider the objection given by the petitioner dated 20.05.2019 before deciding the application of the fifth respondent for grant of license to establish a hollow bricks unit at Neduvilai, Vellaiyampalam, Killiyur Post, Kanyakumari District, and in this regard, if need be opportunity of being heard to both the petitioner as well as the fifth respondent, shall be given, before passing a final order with regard to the grant of license to the hollow brick unit. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Kanyakumari District,
Nagercoil.



2.The Revenue Divisional Officer,
Nagercoil
Kanyakumari District.

3.The Tahsildar,
Vilavancode Taluk
Vilavancode,
Kanyakumari District.

4.The Village Administrative Officer,
Killiyur Village,
Killiyur
Kanyakumari District.

+1 CC to Mr.N.PRAGALATHAN, Advocate SR-78327
+1 CC to SPL GP SR-78510.
+1 CC to Mr.T.SELVAKUMARAN, Advocate SR-78727.

W.P. (MD) No.12951 of 2019
29.07.2019

CS(13.09.2019) 3P 8C