



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.11.2019**

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.7405 of 2019

and

WMP (MD) No.5934 of 2019

WEB COPY

T.Dhanasekaran

... Petitioner

Vs.

1. The District Collector,
Karur District, Karur.
2. The Tahsildar,
Manmangalam Taluk,
Karur District.
3. The Block Development Officer,
Thanthoni Panchayat Union,
Karur District.
4. Asian Fabricx Private Limited
Dying Unit, Printing & Bleaching,
Karuppampalayam,
Manimangalam Taluk,
Karur District.

... Respondents

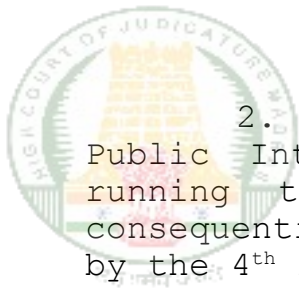
PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 4th respondent from running the work of dyeing, printing and bleaching and consequently direct the respondent Nos.1 to 3 to remove the unauthorized buildings constructed by the 4th respondent within a time stipulation as fixed by this Court based on the petitioner's representation dated 23.01.2017.

For Petitioner	: Mr.Arun Swaminathan
For Respondents	: Mr.A.Muthukaruppan
(R1 to R3)	Addl.Govt.Pleader
For R4	: Mr. E.K.Kumaresan

O R D E R

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

We have heard Mr.Arun Swaminathan, learned counsel for the petitioner, Mr.A.Muthukaruppan, the learned Additional Government Pleader, who accepts notices for R1 to R3.



2. The petitioner filed this writ petition, styled as a Public Interest Litigation, to forbear the 4th respondent from running the work of dying, printing and bleaching and for consequential direction to remove the unauthorized building put up by the 4th respondent.

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3. It is brought to the notice of this Court by the learned counsel for the 4th respondent that the very same petitioner Mr.T.Dhanasekaran S/o.Thangavai has filed a Writ Petition in W.P.No.34310 of 2017, before the Principal Bench of this Court, for issuance of a Writ of Certiorarified Mandamus, to quash G.O.(3D) No.8, dated 04.02.2014 and for consequential direction. In the said writ petition, apart from the District Collector and other authorities, the Chairman of the Pollution Control Board is a party. In the said writ petition also it appears that there was an objection raised with regard to the location of the industries.

4. It is the submission of the learned counsel for the petitioner, who has filed change of vakalat today in the writ petition that the scope of the earlier writ petition is different from that of the prayer sought for in this writ petition.

5. We do not fully agree with the said submission of the learned counsel for the petitioner because it concerns establishment and functioning of the 4th respondent industries. Therefore, the minimum that is required from the petitioner is to disclose in the present writ petition about the filing of the earlier petition. Further, the learned counsel for the 4th respondent submitted that another writ petition was filed very recently, which has been adjourned because the 4th respondent was not impleaded as a party respondent. Hence, we are not inclined to entertain this Public Interest Litigation on account of non disclosure of relevant information.

6. In the result, the Writ Petition stands dismissed. The dismissal of the writ petition will not in any manner prejudice the rights of the petitioner in WP.No.34310 of 2017. No costs. Consequently, the connected miscellaneous petition is also dismissed.

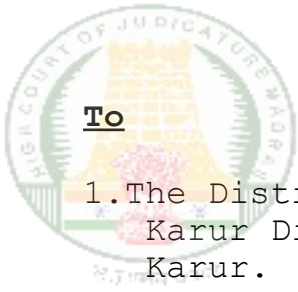
Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

MPK



To

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Manmangalam Taluk,
Karur District.

3.The Block Development Officer,
Thanthoni Panchayat Union,
Karur District.

+1CC to M/s.RM.ARUN SWAMINATHAN, Advocate(SR-97516[F]dated12/11/19)

+1 CC to M/s.SPL GP (SR-97766[F] dated 12/11/2019)

+1 CC to M/s.K. SURESH, Advocate (SR-98058[F] dated 13/11/2019)

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