



WEB COPY

W.P.(MD)No.26000 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2019

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THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P. (MD)No.26000 of 2019

M.Palaniyandi,
Proprietor,
M/s Sri.Rathinagiriswarar Blue Metals. ... Petitioner

Vs.

1. Tamilnadu Pollution Control Board,
represented by its Member Secretary,
No.76, Mount Salai,
Guindy, Chennai-600 032.
2. The District Environment Engineer,
Tamilnadu Pollution Control Board,
8th Cross, Sengunthapuram,
Karur. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the second respondent to consider and dispose of the representation dated 01.11.2019 of the petitioner.

For Appellant : Mr.G.Thiruvarutselvam
For Respondents : Mr.V.Vasantha Kumar

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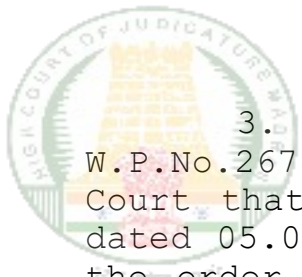
ORDER

[Order of the Court was delivered by **M.DURAI SWAMY, J.**]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the second respondent to dispose of the representation dated 01.11.2019.

2. The petitioner has given a representation dated 01.11.2019 to the second respondent to cancel the consent establish order passed in favour of one "Navamani Mines Private Limited" until the final disposal of W.P.No.26786 of 2019 pending before the Principal Seat of this Court.

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3. Admittedly, the petitioner is not a party in W.P.No.26786 of 2019. It is also brought to the notice of this Court that the Honourable Division Bench of this Court by order dated 05.09.2019 granted an order of interim stay of operation of the order in B.P.Ms.No.21, dated 31.07.2019. The remedy open to the petitioner to get the order cancelled issued in favour of "Navamani Mines Private Limited" is only by way of an appeal. The second respondent is not the authority to consider the petitioner's representation dated 01.11.2019.

4. In such view of the matter, the Writ Petition is dismissed. There shall be no order as to costs. It is open to the petitioner to file an appeal seeking for cancellation of the order issued in favour of "Navamani Mines Private Limited" in accordance with law.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. Tamilnadu Pollution Control Board,
represented by its Member Secretary,
No.76, Mount Salai,
Guindy, Chennai-600 032.
2. The District Environment Engineer,
Tamilnadu Pollution Control Board,
8th Cross, Sengunthapuram,
Karur.

+1 CC to Mr.V.VASANTHAKUMAR, Advocate (SR-103864[F] dated 06/12/2019)

+1 CC to Mr.G.THIRUVARUT SELVAM, Advocate (SR-103897[F] dated 06/12/2019)

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06.12.2019

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