



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM

THE HONOURABLE MR. JUSTICE DR.VINEET KOTHARI
&
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.NO.6124 OF 2019

G. Kandasamy

.. Petitioner

Vs

1. The District Collector,
Salem,
Salem District.
2. The Assistant Director,
Collectorate Campus,
Town Panchayat,
Salem, Salem District.
3. The Block Development Officer,
Kadayampatti Panchayat Union,
Kadayampatti Taluk,
Salem District.
4. The District Environmental Engineer,
Tamilnadu Pollution Control Board,
No.1/276, Meiyanur Main Road,
Salem-4, Salem District.
5. N. Tamilan
6. N. Durai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents 1 to 4 to prevent and stop the pollution being created by the 5th and 6th respondents in Survey No.82/2B 1B, 82/2B2 and 82/2B3A while manufacturing bricks at Kanavaiputhur Village, K. Morur, Kadayampatti Taluk by imposing punishment and other penalty against them.

For petitioner : Mr.Tamilmurugan for
Mr.M.Elango

For Respondents : Mr. J.Pothiraj,
Special Govt. Pleader for R1 & R2
Mr.D.Suriyanarayanan,-R3
Mr.C. Kasirajan, Standing Counsel,
TN Pollution Control Board-R4
no appearance



ORDER

(Order of the Court was made by Dr.Vineet Kothari, J.)

WEB COPY

Heard Mr. Tamilmurugan, learned counsel appearing on behalf of Mr.M.Elango for the petitioner, Mr. J.Pothiraj, learned Special Govt. Pleader appearing for the respondents 1 and 2, Mr.D. Suriyanarayanan, learned counsel appearing for 3rd respondent, Mr.C. Kasirajan, learned Standing Counsel appearing for the Tamilnadu Pollution Control Board/4th respondent and Mr.T.Ganesan, learned counsel appearing for the respondents 5 and 6.

2. Learned counsel appearing for the 3rd respondent/Block Development Officer has submitted a report with the photographs of the brick kiln units run by the respondents 5 and 6 viz, N. Tamilan and N. Durai of Kanavaputhur Village, K. Morur Post, Kadayampatti Village, stating that the brick kiln units run by them illegally have been closed on 28.2.2020 after conducting proper inspection of the site, on the complaint made in the present Public Interest Litigation.

3. This Court, on the earlier occasion, on 2.3.2020, has passed the following order.

'Learned Special Government Pleader Mr.J.Pothiraj, has produced a report from the Block Development Officer dated 02.03.2020, ie., today, which states that the units of the Respondents 5 & 6 have been closed.

A copy of the report has been given to the learned counsel for the petitioner. Learned counsel for the Respondents 5 & 6, who was present in the morning session, is not present again at the second round post lunch session at 2.25 P.M.

3. List next week ie., on 09.03.2020.'

4. Learned counsel appearing for the respondents 5 and 6 was not present on the last date and also he is not present today also. Mr. Tamil Murugan, representing him submits that he is not aware of the facts of the closure of the said brick kiln units.



5. Be that as it may. Since the complaint made in the Public Interest Litigation has been redressed and the offending brick kiln units in question which were running illegally have been closed, We do not find any reason to pass any further orders in this public interest writ petition and the same is accordingly dismissed as no further orders are necessary. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Salem,Salem District.

2.The Assistant Director,
Collectorate Campus,
Town Panchayat,
Salem, Salem District.

3.The Block Development Officer,
Kadayampatti Panchayat Union,
Kadayampatti Taluk,
Salem District.

4.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
No.1/276, Meiyannur Main Road,
Salem-4, Salem District.

+1 cc to Mr.M.Elangovan,Advocate Sr.No. 20511
+1 cc to Mr.C.Kasi Rajan,Advocate Sr.No. 20916
+1 cc to Mr.D.suriyanarayanan,Advocate Sr.No. 20608
+1 cc to Mr.T.Ganesan,Advocate Sr.No.20600

W.P.NO.6124 OF 2019

RJI (CO)
RMP(15/07/2020)