

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6310 of 2020
and
W.M.P.No.7437 of 2020

Tamil Nadu M.Sand Manufacturers Welfare Association
(Registered No.565/2017)

Rep. by Secretary R.Jayaraman

No.6/8A Duraisamy Pillai Street,
Tambaram West,
Chennai-600 045.

...Petitioner

Vs.

1.The Secretary to Government
Industries Department
Fort St. George
Chennai-600 009.

2.The Secretary to Government
Public Works Department
Fort St. George
Chennai-600 009.

3.The Director of Geology and Mining
Department of Geology and Mining
Industrial Estate
Guindy, Chennai-600 032.

4.The Member Secretary
The Tamil Nadu Pollution Control Board
76, Anna Salai, Guindy Industrial Estate
Race View Colony
Guindy, Chennai-600 032.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 18.07.2019 and take appropriate action preventing the M.Sand (CS Sand) being manufactured, supplied and marketed from the Stone Crusher units without approval certificate/certificate

of product approval obtained from PWD by conferring power on the Tamil Nadu Pollution Control Board to pass closure order against the crusher units producing M.Sand without obtaining the certificate of product approval from PWD within the time frame fixed by this court.

For Petitioner : Mr.V.Sanjeevi
For Respondents: Mr.E.Manoharan
Special Government Pleader

O R D E R

Mr.E.Manoharan, learned Special Government Pleader takes notice for the respondents. By consent of both parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner claims to be a Welfare Association, representing M.Sand manufacturers in Tamil Nadu. Their grievance is that through out the State, several persons are manufacturing M.Sand without getting approval or certificate from the Public Works Department about the quality of M.Sand being manufactured by them. Therefore, they made a representation on 18.07.2019 to the respondents. It is stated that the said representation has not been considered by the respondents so far.

3. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondents, more particularly, second respondent to consider and pass orders on the same on merits and in accordance with law, after hearing all the parties concerned. Accordingly, this Writ Petition is disposed of, only with a direction to the second respondent to consider the said representation and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned. Such exercise shall be done by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Secretary to Government
Industries Department
Fort St. George
Chennai-600 009.

2.The Secretary to Government
Public Works Department
Fort St. George
Chennai-600 009.

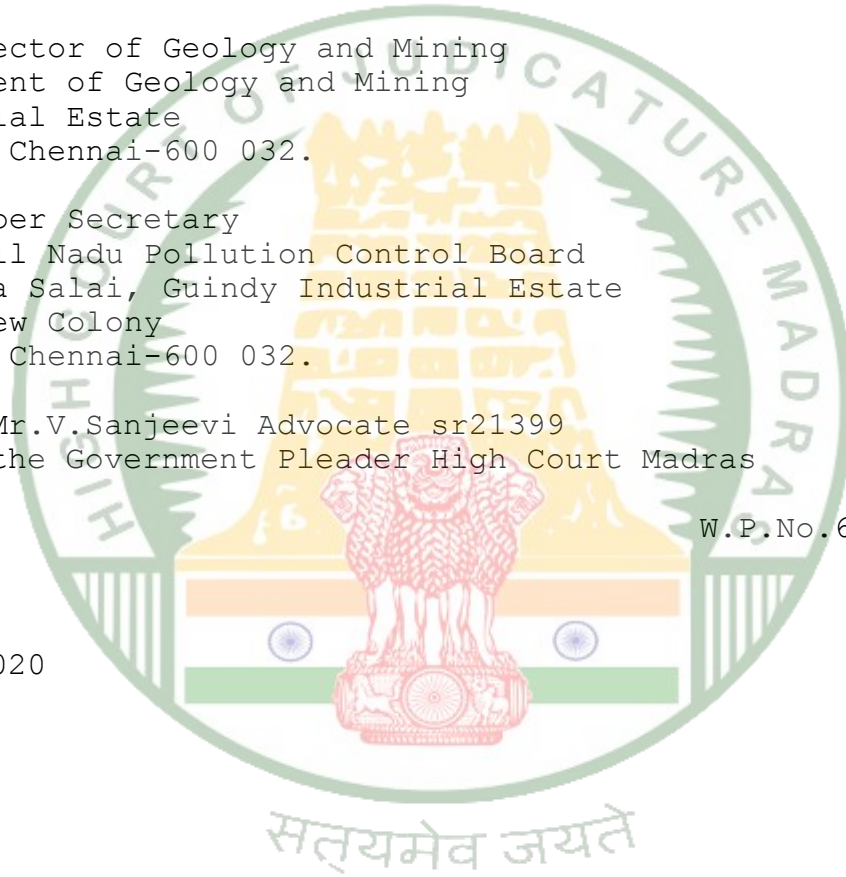
3.The Director of Geology and Mining
Department of Geology and Mining
Industrial Estate
Guindy, Chennai-600 032.

4.The Member Secretary
The Tamil Nadu Pollution Control Board
76, Anna Salai, Guindy Industrial Estate
Race View Colony
Guindy, Chennai-600 032.

+1 cc to Mr.V.Sanjeevi Advocate sr21399
+1 cc to the Government Pleader High Court Madras
sr 22174

W.P.No.6310 of 2020

aa05/06/2020



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