

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2020

CORAM

THE HON'BLE MR.JUSTICE R. MAHADEVAN
and
The HON'BLE DR. JUSTICE ANITA SUMANTH

W.P.No.20245 of 2020

Duraiyarasan

..Petitioner

Vs..

1. The District Collector,
Office of the District Collector,
Thiruvavarur.
2. The District Environmental Engineer,
Office of the District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Thiruvavarur.
3. The Thasildhar,
Office of the Thasildhar,
Thiruthiraipoondi.
4. The Executive Officer,
Selection Grade Panchayat,
Muthupettai, Thiruvavarur District. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the fourth respondent to dumping the wastages and debris at Alangkadu Village, Muthupettai, Thiruthuraipoondi Taluk, Thiruvavarur District by the consideration of petitioner's representation dated 08.12.2020.

For Petitioner : Mr. S. Arivazhagan
For R1 to R3 : Mr. Jayaprakash Narayanan
Government Pleader

O R D E R

(Order of the Court was made by R.MAHADEVAN, J.)

Mr.V.Jayaprakash Narayanan, learned Government Pleader, accepts notice on behalf of the respondents 1 to 3.

2. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he is a resident of Alangkadu Village, Muthupettai, Thiruthuraipoondi Taluk, Thiruvarur District. The fourth respondent is indulged in the act of dumping wastes and debris at Alangkadu Village, which causes lot of health hazardous to the residents of the petitioner's village. The petitioner and other villagers have repeatedly approached the respondent authorities and requested them to take action against the fourth respondent, but their efforts ended in vain. Therefore, the petitioner and others made a representation on 08.12.2020 to the respondents 1 to 3 requesting to prevent the fourth respondent from dumping wastes at Alangkadu Village. Finding no response on the said representation, this Public Interest Litigation in the form of writ petition came to be filed before this Court.

4. Heard both sides and perused the documents placed before this Court.

5. Having regard to the facts and circumstances of the case and also considering the limited relief sought in this writ petition, without expressing any opinion with regard to the merits of the case, this Court directs the respondent authorities to consider the representation dated 08.12.2020 submitted by the petitioner, and pass appropriate orders, on merits and in accordance with law, after giving due opportunity of personal hearing to the petitioner, fifth respondent and any other interested parties, within a period of six weeks from the date of receipt of copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

at
To

1. The District Collector,
Office of the District Collector,
Thiruvarur.
2. The District Environmental Engineer,
Office of the District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Thiruvarur.
3. The Thasildhar, Office of the Thasildhar,
Thiruthiraipoondi.

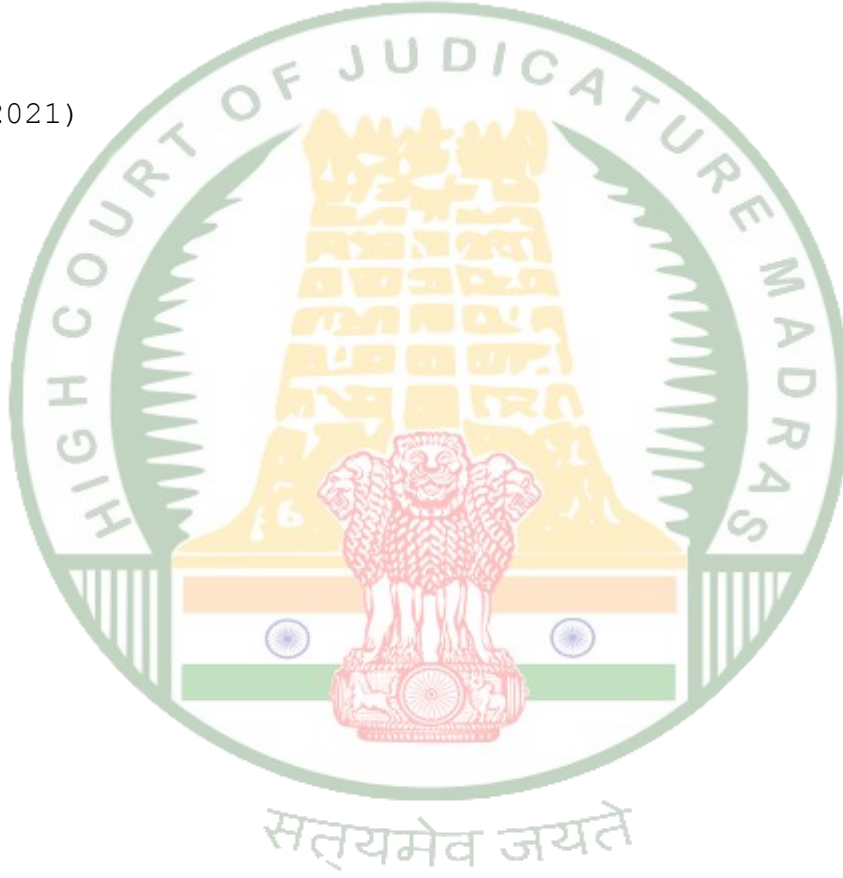
4. The Executive Officer,
Selection Grade Panchayat,
Muthupettai, Thiruvavarur District.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.43189

+1cc to the Government Pleader, S.R.No.53

W.P.No.20245 of 2020

ev(CO)
rv(03/02/2021)



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