

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.No.6771 of 2020

B.Veman

... Petitioner

Vs.

1. The District Collector,
Ranipet,
Ranipet District.
2. The District Environment Officer,
Tamil Nadu Pollution Control Board,
Gandhi Nagar,
Vellore - 632 006.
3. The Commissioner,
Arakkonam Municipality,
Arakkonam,
Ranipet District.
4. The Executive Engineer and Administration Officer,
Tamil Nadu Housing Board,
Ranipet Unit,
Shathuvasari - 9,
Vellore District.
5. S.Senthilkumar ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 to remove encroachment made by the fifth respondent in Survey No.246/6, TNHB Main Road, Jothi Nagar, Arakkonam, Ranipet District - 631 001 by considering representation dated 7.12.2019 made by the petitioner.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.K.S.Suresh
Government Advocate
for respondent Nos.1 and 2

: Mr.M.Kirubaharan
for respondent No.3

ORDER

(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY, J.)

This writ petition pertains to the alleged encroachment made by the fifth respondent in Survey No.246/6, TNHB Main Road, Jothi Nagar, Arakkonam, Ranipet District. The petitioner states that a representation was given in this regard on 07.12.2019, but no action has been taken thereon.

2. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless the matter involves significant public interest.

3. Accordingly, without examining the merits of the representation dated 07.12.2019, the official respondents concerned are directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the fifth respondent herein and any other affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue his remedies in accordance with law, otherwise than by a public interest litigation, after establishing his locus standi in that regard.

4. W.P.No.6771 of 2020 is disposed of on the above terms. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

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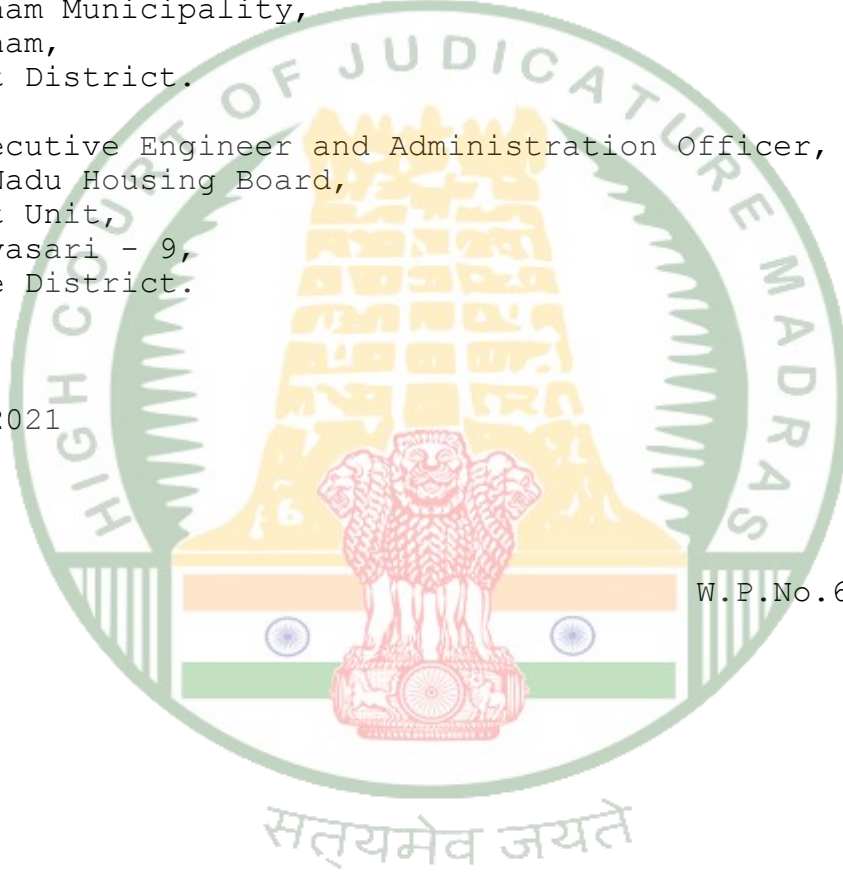
Sub Assistant Registrar

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To:

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2. The District Environment Officer,
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Vellore - 632 006.
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Ranipet Unit,
Shathuvasari - 9,
Vellore District.

RSV(CO)
SM/18/02/2021



W.P.No.6771 of 2020

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