

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.9901 of 2021

Kaspar

... Petitioner

-vs-

1.The District Collector,
Dharmapuri,
Dharmapuri District.

2.The Commissioner,
Dharmapuri Municipality,
Dharmapuri District.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.8, First Floor, 5th Cross Street,
Appavu Nagar,
Dharmapuri District-636 701.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to take appropriate action based on the petitioner's representation dated 17.02.2021 against the municipality workers for dumping and burning the garbage thereby causing health hazards and to restrain the municipality from dumping new garbage in the Mohamed Ali Club Road region.

For Petitioner : Mr.V.Sakkarapani

For Respondents : Mr.SV.Jayaprakash Narayanan
State Government Pleader

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

The petitioner complains of dumping of garbage at a canal near Mohamed Ali Club Road, Dharmapuri. He states that from January, 2021, the municipality is dumping all the waste and garbage collected from the region of Pennagaram Road into the canal on the northern side of the shopping complex situated at Mohamed Ali Club Road in Dharmapuri. As a consequence, the petitioner complains that there is significant air pollution, which is aggravated by the burning of such garbage.

2. The petitioner states that a detailed representation was submitted to the respondents on 17.02.2021 and except for a communication of March 8, 2021 from the third respondent to the second respondent, no action has been taken.

3. Learned State Government Pleader, Mr.V.Jayaprakash Narayanan, accepts notice on behalf of respondents 1 and 2 and points out that action would be taken on the representation of the writ petitioner.

4. Accordingly, without examining the merits of the matter, the petitioner is permitted to carry a fresh representation to respondents 1 and 2 within two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the said respondents are directed to consider such representation and dispose of the same by a speaking order, after providing a reasonable opportunity to all affected parties. Such speaking order should be passed within a period of eight weeks from the date of receipt of the representation.

5.W.P.No.9901 of 2021 is disposed of on the above terms. There will be no order as to costs.

s/d-

Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

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To:

1.The District Collector,
Dharmapuri,
Dharmapuri District.

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Dharmapuri Municipality,
Dharmapuri District.

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Dharmapuri District-636 701.

+lcc to Mr.V.Sakkarapani Advocate Sr.24270

+lcc to Government Pleader Sr.24321

W.P.No.9901 of 2021

PL (Co)
RPI 04/05/2021



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