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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.14189 of 2021

V.Pradeesh

..Petitioner

-Vs-

1. The District Collector
Tiruppur District Tiruppur.
2. The Block Development Officer
Udumalpet Panchayat Union
Udumalpet
Tiruppur District.
3. The Executive Officer
Anthiyur Village Panchayat Anthiyur
Pulankinar Post Udumalpet 642122 Tiruppur
District.
4. The President
Anthiyur Village Panchayat
Anthiyur
Pulankinar Post
Udumalpet 642122
Tiruppur District.
- 5 K.V.Babu Engineering Works
Represented by its Proprietor
K.V.Babu
No. 2/267A, J.V.N.Nagar
Anthiyur Village
Udumalpet Tiruppur District.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to take suitable action against the 5th respondent in view of the recommendation dated 17.08.2020 made by the District Environmental Engineer, Tamil Nadu Pollution Control Board, Tiruppur South and the subsequent stop work notices dated 14.09.2020 and 28.09.2020 issued by the 4th respondent by considering the representation of the petitioner dated 19.04.2021.



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For Petitioner : Mr.S.Arjun

For Respondents : Mr.A.Selvendran
Government Advocate
for R 1 to R 4

Mr.B.Kumarasamy
for R 5

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents 1 to 4 to act upon the representation made by the petitioner on 19.04.2021, wherein, the petitioner has sought for taking action against the 5th respondent in-line with the recommendation made by the District Environmental Engineer, Tamil Nadu, Pollution Control Board and the subsequent stop work notices issued on 14.09.2020 and 28.09.2020.

2.It is seen from records that pursuant to the complaint made by the petitioner on 13.07.2020, the District Environmental Engineer, Tamil Nadu Pollution Control Board, through a communication dated 17.08.2020, had directed the 3rd respondent to take action on the workshop that is being run by the 5th respondent. Thereafter, the 4th respondent has also issued two stop work notices on 14.09.2020 and 28.08.2020. The grievance of the petitioner is that the respondents 1 to 4, have not acted upon the subsequent representation made by the petitioner on 19.04.2021 and the 5th respondent continues to run the workshop illegally by causing environmental pollution.

3.Heard Mr.S.Arjun, learned counsel for the petitioner and Mr.A.Selvendran, learned Government Counsel for respondents 1 to 4 and Mr.B.Kumarasamy, learned counsel appearing on behalf of the 5th respondent.

4.Taking into consideration the facts and circumstances of the case and the materials available on record, there shall be a direction to the 2nd and 3rd respondents to act upon the representation made by the petitioner on 19.04.2021, after affording opportunity to the petitioner and the 5th respondent and deal with the same on its own merits and in accordance with law and take a decision within a period of four weeks from the date of receipt of copy of this order.

5.The petitioner is directed to make a fresh representation to the 2nd and 3rd respondents along with all the relevant documents and also a copy of this order.



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6.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

KP

To

1. The District Collector
Tiruppur District Tiruppur.
2. The Block Development Officer
Udumalpet Panchayat Union
Udumalpet
Tiruppur District.
3. The Executive Officer
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District.
4. The President
Anthiyur Village Panchayat
Anthiyur
Pulankinar Post
Udumalpet 642122
Tiruppur District.

+1CC to M/s.S.Arjun, Advocate, SR.No. 46020
+1CC to Mr.B.Kumarasamy, Advocate, SR.No. 46575
+1CC to The Government Pleader, SR.No. 46153

W.P.No.14189 of 2021

PCH(CO)
B.VC (28/09/2021)