



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.15032 of 2021

and

W.M.P.Nos.15917 and 15919 of 2021

V.S.Mani

...

Petitioner

-vs-

1. Member Secretary,
TamilNadu Coastal Zone Management Authority,
and Director, Department of Environment and
Forests, First Floor, Panagal Building,
Saidapet, Chennai-600 015.
2. The District Collector,
Office of District Collector,
Villupuram District.
3. The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Villupuram District.
4. The Tahsildar,
Vanur Taluk, Villupuram District.
5. The Superintendent of Police,
Villupuram District.
6. The Assistant Director of Panchayats,
Office of Assistant Director of Panchayats,
Villupuram.
7. The Block Development Officer,
Vanur Panchayat Union(Village),
Villupuram District.



8. Rajendran
9. Thiruvengadam
10. Akash

... Respondents

WEB COPY: Prayer:

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to take action against the illegal construction carried out by the respondent 8 to 10 in survey No.317/6, Bommayarpalayam, Vanur Taluk, Villupuram District falling in the prohibited area within 500 meters of Coastal Regulation Zone and consequently direct the 1st respondent herein to initiate action against the respondents 8 to 10 herein for violating Coastal Regulation Zone Notifications and protect the seashore in survey No.317/6 Bommayarpalayam, Vanur Taluk, Villupuram District free from environment hazard and from intruding sea water into the Bommayarpalayam Village, Vanur Taluk, Villupuram District.

For Petitioner : Mr.Kabilan Manohan

For Respondents : Mr.P.Muthukumar
Counsel for State for RR 1 to 7

ORDER

(Made by the Hon'ble Chief Justice)

The petitioner complains of unlawful construction at S.No.317/6, Bommayarpalayam, Vanur Taluk, Villupuram District.

2. The petitioner asserts that the aforesaid property is within CRZ-III and that therefore, no construction should be undertaken within 500 metres from the high tide line. In the case at hand, it is alleged that the construction activities are being undertaken by the private respondents within 200 metres of the high tide line. In spite of submitting a representation in this connection on more than one occasion, it is stated that the official respondents concerned have failed to take action.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice on behalf of respondents 1 to 7 and points out that the first respondent is vested with jurisdiction and authority to consider and dispose of the petitioner's representation.

4. Accordingly, without going into the merits of the matter, the petitioner is granted leave to submit a fresh representation



to the first respondent within two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the first respondent is directed to consider and dispose of such representation by a reasoned order after providing a reasonable opportunity of hearing both to the petitioner and to respondents 8 to 10 herein. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of such representation. On account of the fact that the first respondent has been directed to hear the private respondents before passing orders, the writ petition is being disposed of without notice to the private respondents.

W.P.No.15032 of 2021 is disposed of without any order as to costs. Consequently, W.M.P.Nos.15917 and 15919 of 2021 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To:

1. The Member Secretary,
TamilNadu Coastal Zone Management Authority,
and Director, Department of Environment and
Forests, First Floor, Panagal Building,
Saidapet, Chennai-600 015.
2. The District Collector,
Office of District Collector,
Villupuram District.
3. The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Villupuram District.
4. The Tahsildar,
Vanur Taluk, Villupuram District.
5. The Superintendent of Police,
Villupuram District.



6. The Assistant Director of Panchayats,
Office of Assistant Director of Panchayats,
Villupuram.
7. The Block Development Officer,
Vanur Panchayat Union (Village),
Villupuram District.

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+1cc to Mr.K.Muthuganesha Pandian, Advocate, S.R.No.35661
+1cc to the Government Pleader, S.R.No.35303

W.P.No.15032 of 2021

RLD(CO)
CT(28/07/2021)