



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P No.16545 of 2021

N.Saravanan

...Petitioner

Vs.

1. The Commissioner,
Madurantakam Municipality,
Chengalpattu District.

2.Prakash

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to take action upon the second respondent for running an unlicensed Carpentry Workshop at No.14, Power station Road, Madurantakam 603 306, Chengalpattu District on the basis of the petitioner representation dated 06.05.2021

For Petitioner : Mr.G.Magesh Kumar

For Respondents : Mr.L.P.Maurya
Standing Counsel for R1

ORDER

This writ petition has been filed for the issuance of writ of mandamus directing the 1st respondent to take action on the representation made by the petitioner on 06.05.2021 after taking into consideration the communication of the District Environmental Engineer, Chengalpattu District, dated 23.06.2021.

2.Heard Mr.G.Magesh Kumar, learned counsel appearing on behalf of the petitioner and Mr.L.P.Maurya, learned Standing Counsel appearing on behalf of the first respondent.

3.The case of the petitioner is that the 2nd respondent is carrying on with a Carpentry Workshop in the adjacent property which has resulted in air pollution and it is causing serious health hazard to the petitioner and others in the locality. The petitioner made a representation in this regard to the District Environmental Engineer and the District Environmental Engineer through letter dated 23.06.2021 had informed the 1st respondent to take immediate action on the complaint made by the



petitioner. Since no action was taken, the present writ petition has been filed before this Court seeking for appropriate direction.

4.It is seen from the letter of the District Environmental Engineer that he had acted upon the representation made by the petitioner to the effect that the 2nd respondent is carrying on with the workshop without any consent or permission from the concerned authorities and this workshop is causing serious pollution in and around the area.

5.The learned counsel appearing for the 1st respondent submitted that some time may be fixed by this Court to enable the 1st respondent to conduct an enquiry and take action.

6.Taking into consideration the facts and circumstances of the case, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 06.05.2021 and conduct an enquiry after affording opportunity to the petitioner and the 2nd respondent and take a decision strictly in accordance with law, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order.

7.This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

The Commissioner,
Madurantakam Municipality,
Chengalpattu District.

+1cc to Mr.G.Mageshkumar, Advocate, S.R.No.39628
+1cc to Mr.L.P.Maurya, Advocate, S.R.No.39189

W.P No.16545 of 2021

PMK(CO)
RGA(31/08/2021)