

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.18816 of 2020

1. P.Murugesan

2. K.Jayakumar

...Petitioners

Vs.

1. The District Collector
Erode, Erode District.

2. The Block Development Officer
Modakkurichi Taluk
Modakkurichi
Erode District.

...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to remove the setting up of the garbage dumping yard in and around R.S.No.400/7, 06, Pudur Village for 46 Pudur Panchayat, Modakkurichi Taluk, Erode District.

For Petitioners : Mr.VS.Kesavan

For Respondents : Mr.K.S.Suresh
Government Advocate
for respondent-1
Ms.R.J.Radhika
Government Advocate
for respondent-2

WEB COPY

ORDER

(Made by Senthilkumar Ramamoorthy,J)

The petitioners complain of the location of a garbage dumping yard in R.S.No.400/7, 06, Pudur Village for 46 Pudur Panchayat, Modakkurichi Taluk, Erode District.

2. It is stated that about 100 families reside in Anaikkalpalayam and Vellalapalayam villages. A bus stand was constructed in R.S.No.400/7 and it was completed on December 10, 2015. Although school children, women, office goers and the like use the bus stand on a regular basis, the writ petitioner asserts that the land adjoining the bus stand has been converted into a garbage dumping yard and the same is causing considerable hardship. It is further stated that it is also the root cause for the spread of various diseases among the residents of the locality. In spite of submitting a representation on October 15, 2020, no action has been taken to shift the garbage dumping yard.

3. Both the official respondents are represented and it is stated that the second respondent Block Development Officer is the appropriate authority to take action on the petitioners' grievance.

4. Accordingly, without examining the merits of the matter, the petitioners are permitted to submit a fresh representation to the second respondent, by enclosing all documents in support thereof. Such representation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the second respondent is directed to consider and dispose of such representation by a reasoned order, within a period of eight weeks.

5. W.P.No.18816 of 2020 is disposed of. There will be no order as to costs. As a consequence, WMP Nos.23394 and 23395 of 2020 are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kpl

To

1. The District Collector
Erode, Erode District.
2. The Block Development Officer
Modakkurichi Taluk
Modakkurichi
Erode District.

+2cc to Mr.V.S.Kesavan, Advocate, Sr.No.26176

W.P.No.18816 of 2020

AD(CO)

KKV/15/06/2021