



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2021

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.28093 OF 2021

AND

W.M.P.NO.29670 OF 2021

Tamil Nadu Industries Captive Power Co. Ltd.,
Plot No.34/35, Anna Road,
Thillai Nagar, Gandhi Nagar Post,
Near Neyveli Arch Gate,
Cuddalore - 607 308.

... Petitioner

.Vs.

1. The Secretary to Government/Municipal
Administration and Water Supply Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 007.

2. The Commissioner,
Municipal Corporation,
Bharathi Road,
Cuddalore - 607 001.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the 2nd respondent to refrain from dumping garbage and municipal wastes in Survey Nos.166 to 171 and 186 to 189 of Srimushnam Village and Sri Adivaraganallur Village or in any land allotted to the petitioner.

For Petitioner : Dr.R.Maheswari

For Respondents : Mr.P.Gurunathan
Additional Government Pleader



O R D E R

Mr.P.Gurunathan, learned Additional Government Pleader accepts notice for the respondents and is armed with instructions to proceed with the matter finally. Hence, by consent of both sides, this Writ Petition is taken up for final disposal even at the stage of admission.

2. The petitioner is a company and claims to be owning the lands at Survey Nos.166 to 171 and 186 to 189 of Srimushnam Village and Sri Adivaraganallur Village (lands in question). The prayer in this writ petition is for a mandamus directing the 2nd respondent/the Commissioner, Municipal Corporation, Cuddalore to refrain from dumping garbage and municipal waste in the aforesaid lands.

3. Mr.P.Gurunathan, learned Additional Government Pleader has obtained written instructions dated 29.12.2021 from the Commissioner, Cuddalore City Municipal Corporation, which states that the land in question is situated 70 kilometers away from Cuddalore Corporation. There is no clarity on whether the lands in question fall within Cuddalore Corporation at all and it is his say that the lands fall within the Srimushnam Special Grade Town Panchayat.

4. Be that as it may, the written instructions are to the effect that the solid waste collected by the Corporation is processed in the micro composting centre and they specifically deny the allegations of the petitioner.

5. Recording the same, this Writ Petition is closed. The petitioner may ascertain the source of the dumping and is at liberty to take such action as may be necessary to contain the same including approaching this Court, if all else fails. Connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sl



To

1. The Secretary to Government/Municipal
Administration and Water Supply Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 007.

2. The Commissioner,
Municipal Corporation,
Bharathi Road,
Cuddalore - 607 001.

+1cc to the Government Pleader, S.R.No.69958

W.P.NO.28093 OF 2021 AND
W.M.P.NO.29670 OF 2021

GJ(CO)
PBS/11/01/2022