



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The Hon'ble Mrs.JUSTICE R.HEMALATHA

W.P.(MD) No.1843 of 2021
and
W.M.P(MD)No.1576 of 2021

Balasubramanian Nagar Kudiyiruppore Nala Sangam
Representated by itsPresident
S.Arul Perum Jothi,
Door No.3/21, Vivekanandar Main Street,
Near Amithanantha Mayee School,
Balasubramaniyan Nagar,
Tirupparankundram,
Madurai - 625 005.

... Petitioner

Vs

1. The District Collector,
Collectorate,
Madurai.
2. The Commissioner,
Madurai Corporation,
Madurai.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate, Kappalur,
Madurai - 625 008.

4. Manikandan

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioner dated 11.10.2020.

For Petitioner

: Mr.K.Sujitha



WEB COPY

For Respondents

: Mr.N.Shanmugaselvam,
Additional Government Pleader
for R1
Mr.R.Murali,
Standing Counsel for R2
Mr.S.Bageerathan for R3

ORDER

[Order of the Court was made by ***The Hon'ble Chief Justice***]

The petitioner has sent a representation to the official respondents on October 11, 2020 and complains of no action being taken in such regard.

2.The representation pertains to the running of a factory by the 4th respondent.

3.There is no doubt that the running of any manufacturing facility is governed by the guidelines and appropriate laws. If the fourth respondent is adhering to the legal frame-work, the petitioner can have no grievance.

4.However, the second respondent will look into the petitioner's representation and after affording an opportunity of hearing to all concerned, including the fourth respondent, the second respondent will pass a speaking order within six weeks of the receipt of the copy of this order.

5.In the event the petitioner is aggrieved by the action taken or by the failure to take any action, the petitioner will be entitled to pursue further remedies otherwise than by way of a public interest litigation and upon establishing his *locus standi*.

6.W.P.(MD) No.1843 of 2021 is disposed of. Consequently, W.M.P (MD)No.1576 of 2021 is closed. There will be no orders as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SJ/PKN

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The District Collector,
Collectorate, Madurai.

2. The Commissioner,
Madurai Corporation,
Madurai.

3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate, Kappalur,
Madurai - 625 008.

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-9154[F] dated 05/03/2021)

+1 CC to M/s.DHANA LAW ASSOCIATES, Advocate (SR-8780[F] dated 04/03/2021)

+1 CC to Mr.S.BAGEERATHAN, Advocate (SR-8852[F] dated 04/03/2021)

+1 CC to Mr.T.S.MOHAMED MOHIDEEN, Advocate (SR-8906[F] dated 04/03/2021)

Order made in
W.P.(MD) No.1843 of 2021 and
W.M.P(MD)No.1576 of 2021
04.03.2021

KG(CO)

SRS (11/03/2021) 3P : 8C