



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.3176 of 2021

and W.M.P. (MD) No.2520 of 2021

V.Palanikumar

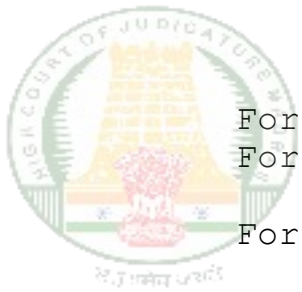
... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram,
Ramanathapuram District.
- 2.The Chief Engineer,
State Ground and Surface Water
Resources Data Centre,
Tharamani,
Chennai.
- 3.The Assistant Director of Panchayat,
Pamban,
Ramanathapuram District.
- 4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ramanathapuram.
- 5.The Block Development Officer,
Mandapam Panchayat Union,
Uchipuli,
Ramanathapuram District.
- 6.N.Senthil Rajan
- 7.S.Suganthi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.01.2021, seeking to take action against the illegal construction of Ice Plant by the 6th and 7th respondent in Survey Nos.347/1B2E, 347/1B2d, 295/1C6B and 280/2C at Santhiyanagar, Bekkarumbu, Thangachimadam, Ramanathapuram without getting any permission from the authorities concerned and pass orders on merits and in accordance with law within a period that may be stipulated by this Hon'ble Court.



For Petitioner : Mr.M.Jerin Mathew
For Respondent Nos.1 to 3 : Mr.A.K.Manickam
Standing Counsel for Government
For Respondent No.4 : Mr.C.Kasirajan
Standing Counsel
For Respondent Nos.6 & 7 : Mr.S.Deenadhayalan
For Respondent No.5 : No appearance

ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The petitioner seeks for a direction to respondent Nos.1 to 5 to take action against the illegal construction of Ice Plant by respondent Nos.6 and 7 in Survey Nos.347/1B2E, 347/1B2d, 295/1C6B and 280/2C at Santhiyanagar, Bekkarumbu, Thangachimadam, Ramanathapuram without getting any permission from the authorities concerned.

2.Learned counsel for respondent Nos.6 and 7 submitted that only construction is going on after obtaining building plan approval and no Ice Plant is in operation without obtaining permission/approval/consent order from the Pollution Control Board etc.,

3.The Executive Engineer, Ground Water Division, Karaikudi in her report to the Chief Engineer, State Ground and Surface Water Resources Data Centre dated 27.01.2021, has stated that no permission has been granted to any of the four Ice Plants, including that of respondent Nos.6 & 7, to run the same.

4.In the light of the above, the official respondents are directed to see to it that no Ice Plant is in operation without obtaining proper permission and if any application is made seeking permission, the same should be considered in accordance with law.

5.The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



sj

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,
Ramanathapuram,
Ramanathapuram District.
- 2.The Chief Engineer,
State Ground and Surface Water
Resources Data Centre,
Tharamani,
Chennai.
- 3.The Assistant Director of Panchayat,
Pamban,
Ramanathapuram District.
- 4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ramanathapuram.
- 5.The Block Development Officer,
Mandapam Panchayat Union,
Uchipuli,
Ramanathapuram District.

+2 CC to M/s.S.DEENADHAYALAN, Advocate (SR-20478[F] dated 29/06/2021)

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-20777[F] dated 30/06/2021)

+1 CC to M/s.SPL GP (SR-20677[F] dated 30/06/2021)

W.P. (MD)No.3176 of 2021
28.06.2021

AS (05.07.2021) 3P 10C