



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8206 of 2021

M.Eswaran

...Petitioner

Vs.

1.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Kappalur, Madurai-8.

2.The Block Development Officer,
Chellampatti Panchayat Union,
Chellampatti,
Madurai.

3.Kattari Velmurugan

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to take appropriate action against the third respondent pursuant to the proceedings in Letter No.கோ.ப.கா.பி.020560620/மாசகலூர்/தூதாமாகலூர்/மதுரை/2020 dated 15.12.2020 issued by the first respondent within the time frame as fixed by this Court.

For Petitioner	: Mr.Hasan Mohammed Jinnah
For R-1	: Mr.K.P.Narayanakumar Special Government Pleader
For R-2	: Mr.M.Jayakumar

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the second respondent to take action against the third respondent in line with the letter issued by the first respondent, dated, 15.12.2020.

2. The case of the petitioner is that the third respondent without getting any permission, is running a factory, which manufactures paver block bricks. The petitioner made a complaint before the first respondent in this regard. The first respondent through a letter, dated 15.12.2020, made it very clear that the Tamil Nadu Pollution Control Board has not granted any permission to run the factory and further directed the second respondent to take action immediately and report before the first respondent. The grievance of the petitioner is that the second respondent has not



acted upon the complaint given by the petitioner and the direction issued by the first respondent. Left with no other alternative, the present Writ Petition has been filed seeking for appropriate directions.

3. Heard Mr.Hasan Mohammed Jinnah, learned Counsel appearing on behalf of the petitioner, Mr.K.P.Narayanakumar, learned Special Government Pleader appearing on behalf of the first respondent and Mr.M.Jayakumar, learned counsel appearing on behalf of the second respondent.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to act upon the communication given by the first respondent through proceedings dated 15.12.2020 and take a decision, strictly in accordance with law, after affording opportunity to the petitioner and the third respondent, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Tsg

To

1.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Kappalur, Madurai-8.

+1 CC to M/s.N.SATHEESH KUMAR, Advocate (SR-16868[F] dated 21/04/2021)

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.

Order made in

W.P. (MD) .No.8206 of 2021

Dated:

20.04.2021

RK (30.04.2021) 2P 3C