



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)Nos.10551, 10552 & 10555 of 2021

and

W.M.P(MD)Nos.8216, 8218, 8219, 8662, 8666 & 8670 of 2021

1.W.P(MD)No.10551 of 2021:-

S.Saritha

... Petitioner

Vs.

1.The Tamil Nadu Pollution Control Board,
Rep. by its Chairman, Chennai.

2.The District Collector,
Kanyakumari,
At Nagercoil.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagercoil,
No.318/46A, Water Tank Road,
Nagercoil,
Kanyakumari District - 629 001.

4.The Superintendent Engineer (Operation & Management),
TANGEDCO,
Parvathipuram,
Nagercoil,
Kanyakumari District.

5.The Junior Engineer,
TANGEDCO,
Pudukadai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass orders on the application of the petitioner, dated 06.07.2020 seeking CRZ clearance for the ice plant in the name and style of 'Nanjil Traders Ice Plant' situated at R.S.No.626/10, Helen Nagar, Keelkulam Village, Inayam, Killiyoor Taluk, Kanyakumari District by considering the representation of the petitioner dated 08.06.2021.



2.W.P(MD)No.10552 of 2021:-

J.Frederic Saviyo

... Petitioner

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Vs.

- 1.The Tamil Nadu Pollution Control Board,
Rep. by its Chairman, Chennai.
- 2.The District Collector,
Kanyakumari,
At Nagercoil.
- 3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagercoil,
No.318/46A, Water Tank Road,
Nagercoil,
Kanyakumari District - 629 001.
- 4.The Superintendent Engineer (Operation & Management),
TANGEDCO,
Parvathipuram,
Nagercoil,
Kanyakumari District.
- 5.The Junior Engineer,
TANGEDCO,
Kollencode
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass orders on the application of the petitioner, dated 06.07.2020 seeking CRZ clearance for the ice plant in the name and style of 'LSM Ice Plant' situated at Door No.26-157E, Vallavilai, Kallancode Post, Vilavancode Taluk, Kanyakumari District by considering the representation of the petitioner dated 08.06.2021.

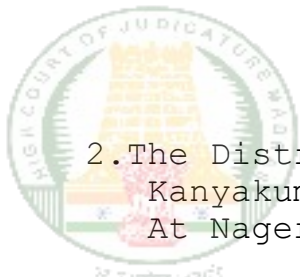
3.W.P(MD)No.10555 of 2021:-

A.Reslin

... Petitioner

Vs.

- 1.The Tamil Nadu Pollution Control Board,
Rep. by its Chairman, Chennai.



2.The District Collector,
Kanyakumari,
At Nagercoil.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagercoil,
No.318/46A, Water Tank Road,
Nagercoil, Kanyakumari District - 629 001.

4.The Superintendent Engineer (Operation & Management),
TANGEDCO,
Parvathipuram,
Nagercoil,
Kanyakumari District.

5.The Junior Engineer,
TANGEDCO,
Chemponvilai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass orders on the application of the petitioner, dated 06.07.2020 seeking CRZ clearance for the ice plant in the name and style of 'Amali Ice Plant' situated at S.F.No.130/1, Simon Colony Village, Kalkulam Taluk, Kanyakumari District by considering the representation of the petitioner dated 08.06.2021.

For Petitioner (In all W.Ps')	: Mr.S.C.Herold Singh
For RR 1 & 3 (In all W.Ps')	: Mr.S.Bageerathan Standing Counsel
For R - 2 (In all W.Ps')	: Mr.P.Thilak Kumar Standing Counsel for Government
For RR 4 & 5 (In all W.Ps')	: Mrs.S.Srimathy Standing Counsel

COMMON ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioners have filed the above Writ Petitions to issue Writs of Mandamus, directing the respondents to pass orders on their applications, dated 06.07.2020 seeking CRZ clearance for the ice plant by considering the representations, dated 08.06.2021 within a time frame.



2.The learned counsel appearing for the petitioners submitted that though the petitioners have submitted their applications as early as on 06.07.2020, the first respondent has not passed any order so far.

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3.Mr.S.Bageerathan, learned Standing Counsel for the respondents 1 and 3 and Mr.P.Thilak Kumar, learned Standing Counsel for the Government for the second respondent, submitted that the first respondent may be directed to consider the petitioners applications, dated 06.07.2020 and pass orders on merits and in accordance with law within a time frame.

4.Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the learned counsel for the petitioners, without expressing any opinion with regard to the merits of the case, we direct the first respondent to consider the petitioners applications, dated 06.07.2020 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

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 Chairman,
Tamil Nadu Pollution Control Board,
Chennai.



2.The District Collector,
Kanyakumari,
At Nagercoil.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagercoil,
No.318/46A, Water Tank Road,
Nagercoil,
Kanyakumari District - 629 001.

4.The Superintendent Engineer (Operation & Management),
TANGEDCO,
Parvathipuram,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-25558[F] dated
06/08/2021)

+1 CC to M/s.GP (SR-25484[F] dated 06/08/2021)

W.P(MD)Nos.10551, 10552 & 10555 of 2021
05.08.2021

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