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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.15458 of 2013
and
M.P.Nos.1 & 2 of 2013

1.K.K.Rajamanickam Pillai

2.R.Radhakrishnan

...Petitioners

Vs

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Cheyyar,
Thiruvannamalai District,
Pin - 604 407.

2. A.Marimuthu

3. V.Masilamani

4. The Commissioner,
Peranamallur Panchayat Union,
Vanthavasi Taluk,
Thiruvannamalai District.
Pin - 604 502.

5. The Inspector of Factories,
Office of the Inspector of Factories,
Thiruvannamalai,
Thiruvannamalai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to ensure public safety and to cause abatement of the Nuisance created by the 2nd respondent in carrying on his Health Hazardous business in Arc Welding, Metal Grinding and Lathe Works under the name and style of "Ravi Welding and Engineering Works", or in any other name abutting the residential house of the petitioners at the Main Road, Sanjeevarayapuram, Avaniyapuram Madura, Peranamallur Panchayat Union, Vanthavasi Taluk, Thiruvannamalai District.



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For Petitioners: No Appearance
For R1 : Mr.TNC.Kaushik
Additional Government Pleader
For R2 & R3 : Mr.Shinu
For R4 : Mr.P.Sanjay Gandhi
For R5 : No Appearance

O R D E R

The petitioner has sought a mandamus, directing respondents 1 to 5 to ensure public safety and to cause abatement of the nuisance caused by the second respondent in carrying on business hazardous to public health in arc welding, metal grinding and lathe works under the name and style, of 'Ravi Welding and Engineering Works', abutting petitioner's residential house.

2. In the absence of the petitioner, this Court is not in a position to ascertain the status as on date.

3. R-3 has also not bothered to file counter affidavit and learned counsel has no instructions in this regard.

4. Seeing that this Writ Petition is pending since 2013, it would suffice, if liberty is granted to the petitioner to move the respondents by way of appropriate representation, if the alleged nuisance persists till date.

5. With this liberty, the Writ Petition stands closed. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jeni/sd
To

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Cheyyar, Thiruvannamalai District - 604 407.



2. The Commissioner,
Peranammallur Panchayat Union,
Vanthavasi Taluk,
Thiruvannamalai District.
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3. The Inspector of Factories,
Office of the Inspector of Factories,
Thiruvannamalai,
Thiruvannamalai District.

+1cc to M/s.S.Shinu, Advocate, S.R.No.24182

W.P.No.15458 of 2013

SV(CO)
RGA(27/04/2022)