



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.7030 of 2022

R.Anu Uthiran

... Petitioner

Vs

1.The District Collector,
Collectorate, Salem - 636 001.

2.The Commissioner of Corporation,
Salem Corporation,
Salem - 636 001.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Siva Tower, Post Box No.457, No.1/276,
Meyyanur Main Road, Salem -636 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents No.1 & 2 to consider petitioner's representations dated 23.06.2021 & 25.10.2021 to appropriate actions against saw mill running in residential area at D.No.133 in Jothi Talkies Road, Ammapet.

For Petitioner : Mr.J.Prithvi

For Respondents : Mr.E.Sundaram - R1
Mr.S.Sathish - R2

O R D E R

Mr.E.Sundaram, learned counsel accepts notice for R1 and Mr.S.Sathish, learned counsel accepts notice for R2 and both are armed with instructions to proceed with the matter finally. No panel counsel is at present available to accept notice on behalf of R3. However, in light of the order that is being passed now, such notice may not be necessary at this juncture. Hence, by consent of learned counsel for the petitioner and learned counsel for R1 and R2, this Writ Petition is disposed finally even at the



stage of admission.

2. The petitioner has made several representations before R2 to consider the difficulties caused to him by running a saw mill in the residential area at D.No.133 in Jothi Talkies Road, Ammapet.

3. The petitioner resides in the neighboring property at D.No.134, Jothi Talkies Road, Ammapet, Salem and alleges that one Nagarajan, S/o.Muthuasari has been running a saw mill adjacent to his house. The resultant noise and wood dust cause severe pollution which causes hardship, he claims. The petitioner is a senior citizen, aged around 72 years and finds dwelling in such circumstances which is highly detrimental to his health and convenience. He would also allege that previous owners had, in fact, vacated the property only on account of this inconvenience.

4. Since the prayer is for a mandamus simplicitor for consideration of petitioner's representations and seeing as the petitioner is a senior citizen, a direction is issued to R2 to consider the representations of the petitioner sent on various dates, most recently on 23.06.2021 and 25.10.2021, acknowledgments of which are placed on file, hear the petitioner as well as the said Nagarajan, cause proper enquiry in the neighborhood in regard to the allegations made by the petitioner and take a decision in regard to the plea of the petitioner within a period of six (6) weeks from today.

5. This Writ Petition is disposed in the aforesaid terms.
No costs.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

sl/kbs

To

1. The District Collector,
Collectorate, Salem - 636 001.



2.The Commissioner of Corporation,
Salem Corporation, Salem - 636 001.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Siva Tower, Post Box No.457, No.1/276,
Meyyanur Main Road, Salem -636 004.

+1cc to Mr.J.Prithvi, Advocate SR.No.20156

W.P. No.7030 of 2022

SRA(CO)
CB(08/04/2022)