



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.01.2022
CORAM:

The Hon'ble Mr. Justice Krishnan Ramasamy

W.P.No.29077 of 2017

K.Selvam

...Petitioner

Vs

1. The District Collector,
Kancheepuram,
Kancheepuram District.
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sriperumpudhur at Padapai,
No.539-3, Bazar Street,
Padapai 601 301,
Kancheepuram District.
3. The Block Development Officer, (Panchayats)
Kancheepuram Panchayat Union,
Sirukaveripakkam,
Kancheepuram District.
4. The Commissioner/Executive Officer,
Kancheepuram Panchayat Union,
Sirukaveripakkam,
Kancheepuram District.
5. The Assistant Engineer,
Electricity Distribution Circle,
TANGEDCO, Maagaral,
Kancheepuram Panchayat Union,
Kancheepuram.

6. Thiru.Haribabu

...Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 5 to take action against the 6th respondent based on the petitioner's complaint dated 11.05.2015.

For Petitioner : Ms.Swadhi Subramaniam
for M/S.R.Prem Narayan



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For R1, R3, R4 : Mrs.C.Meera Arumugam,
Additional Government Pleader
For R5 : Mr.L.Jai Venkatesh
Standing Counsel
For R2 & R6 : No appearance

O R D E R

This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 5 to take action against the 6th respondent based on the petitioner's complaint dated 11.05.2015.

2. The case of Writ Petitioner is that the 6th respondent is running a flour mill without getting any license from any of the authorities, in a residential area viz., Raja Veedhi Street, Magaral Village, Kancheepuram, which is causing noise and also air pollution, Therefore, the petitioner has made representation dated 11.05.2015. Though the petitioner has made representation in the year 2015, no action has been taken till date. Hence, the petitioner has approached this Court to direct the respondents 1 to 5 to take appropriate legal action, as the 6th respondent/private party is illegally running the flour mill.

3. In spite of the service of the notice through Court, none appeared on behalf of the 6th respondent/private party and despite his name is also printed in the cause list.

4. On the other hand, Mrs.C.Meera Arumugam, the learned Additional Government Pleader for respondents 1 to 4 seeks a short accommodation to get instructions in this regard.

5. In the present case, the petitioner has made only the representation to the respondents 1 to 5 to take appropriate legal action. Of course, they suppose to dispose of the representation, as the 6th respondent/private party is running a flour mill without any permission from the authorities and the Tamil Nadu Pollution Control and from the Village Panchayat. In the event, any licence is required to run a flour mill and if the 6th respondent is running a flour mill without any such licence, the respondents 1 to 5 shall take appropriate legal action against the 6th respondent. In the present Writ Petition, the petitioner is seeking a direction to the respondents to consider and dispose of his representation.

6. Therefore, this Court is of the view, that the respondents 1 to 5 have to find out whether the 6th respondent/private party has been running a flour mill with licence or without licence and where it is causing any nuisance to the public or not. In such case, of course, they have to take appropriate legal action against the 6th respondent/private



party to close a flour mill, that apart any other legal action in accordance with law. Accordingly, the 1st respondent is directed to dispose of the petitioner's representation in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

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To

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TANGEDCO, Maagaral,
Kancheepuram Panchayat Union,Kancheepuram.

+1 cc to M/S.R.Prem Narayan, Advocate Sr.NO. 209
+1 cc to Mr.L.Jai Venkatesh, Advocate Sr.NO. 449
+1 cc to Government Pleader Sr.NO. 712

W.P.No.29077 of 2017

MT(CO)
A.SK(09.02.2022)