



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7281 of 2022

and

W.M.P.[MD]No.5546 of 2022

WEB COPY

Ayyanan

... Petitioner

/Vs./

1.The District Collector,  
Trichy District, Trichy.

2.The Joint Director of Industrial Safety and Health,  
Trichy District, Trichy.

3.The Senior Assistant Director (Boilers),  
Thanjavur - Trichy Circle,  
42/D, Heebar Road,  
Beema Nagar, Trichy - 1.

4.Ashok Kumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1 to 3 respondents to remove the unlicensed boiler and steam pipes as per order of the 2nd respondent vide his Letter No.127 / tha.thee.va / 2018 /dated 17.06.2020 consequently 1 to 3 respondents to take appropriate action against the 4<sup>th</sup> respondent on the basis of petitioner' s representation dated 15.03.2022 within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

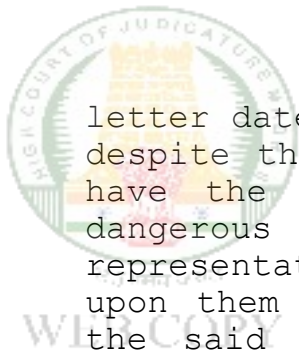
For Respondents : Mr.B.Saravanan

Additional Government Pleader

### ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to remove the unlicensed boiler and steam pipes, as per order of the third respondent dated 17.06.2020 consequently direct the respondents 1 to 3 to take appropriate action against the 4<sup>th</sup> respondent, based on the petitioner's representation dated 15.03.2022, within a time frame to be fixed by this Court.

**2.**It is the case of the petitioner that the fourth respondent is having boiler and steam pipes in his property without any valid licence. It is also the case of the petitioner that based on the complaint given by the petitioner, the third respondent had directed the fourth respondent to remove the boiler and steam pipes by his



letter dated 17.06.2020. It is also the case of the petitioner that despite the said direction, the fourth respondent is continuing to have the boiler and steam pipes and using the same, which is dangerous to the surroundings. The petitioner has given a representation on 15.03.2022 to the official respondents calling upon them to conduct action against the fourth respondent. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

**3.** Heard Mr.T.Vadivelan, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the official respondents.

**4.** The learned counsel appearing for the petitioner drew the attention of this Court to the letter dated 17.06.2020 issued by the third respondent to the fourth respondent calling upon him to remove the unlicensed boiler and steam pipes from his property and would submit that despite the said letter, the fourth respondent has not removed the boiler and steam pipes. The petitioner has given a representation on 15.03.2022 to the official respondents requesting them to take action against the fourth respondent for not removing the boiler and steam pipes.

**5.** No prejudice would be caused to the third respondent, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the fourth respondent, including granting them the right of personal hearing.

**6.** For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation dated 15.03.2022 to take action against the fourth respondent for not removing the boiler and steam pipes, as per the directions issued in his letter dated 17.06.2020 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the fourth respondent, including granting them the right of personal hearing, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

**7.** With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



1.The District Collector,  
Trichy District,  
Trichy.

2.The Joint Director of Industrial Safety and Health,  
Trichy District,  
Trichy.

3.The Senior Assistant Director (Boilers),  
Thanjavur - Trichy Circle,  
42/D, Heebar Road,  
Beema Nagar, Trichy - 1.

+1 CC to M/s.SPL.GP. ( SR-19720[F] dated 20/04/2022 )

order made in

**W.P. [MD]No.7281 of 2022**

Dated:

**19.04.2022**

NSN (CO)  
GC (02.05.2022) 3P 5C