



W.P(MD)No.24316 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

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Michael

... Petitioner

VS.

- 1.The District Collector,
Office of the Collectorate Building,
Kanniyakumari District.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagercoil,
Kanniyakumari District.
- 3.The Commissioner / Executive Officer,
Anjukramam Town Panchayat,
Kanniyakumari District.
- 4.The Assistant Director of Town Panchayat,
Nagercoil Division,
District Collectorate Building,
Nagercoil,
Kanniyakumari District.

5.Chellaiah

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take necessary action against the fifth respondent and remove the Aswin Flour Mill situated at Chithambaranathan Nagar, Anjukramam, Kanniyakumari District by considering the petitioner's representation, dated 12.09.2022.

For Petitioner	: Mr.D.S.Haroon Rasheed
For R – 1	: Mr.P.Thilak Kumar Government Pleader
For R – 2	: Ms.Vijayakumari Nataraj Standing Counsel
For R – 3	: Mr.G.V.Vairam Santhosh Additional Government Pleader

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

According to the petitioner, the fifth respondent, without obtaining permission from the authority concerned, is running a flour mill under the name and style of 'Aswin Flour Mill' at Chithambaranathan Nagar, Anjukrmam Panchayat, Kanniyakumari District, which caused inconvenience



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to the students and aged people of the locality. Hence, the petitioner sent a representation dated 12.09.2022 to the respondents 1 to 4, requesting to take necessary action against the fifth respondent either to close or shift the flour mill to some other place. However, the said representation was not considered so far. Finding no other option, the petitioner has come up with this writ petition seeking a direction to the respondent authorities to consider his representation and take appropriate action against the fifth respondent.

2.Heard all the parties and perused the documents enclosed in the typed set of papers.

3.Considering the limited relief sought in this writ petition, this Court, without expressing any opinion on the merits of the claim made by the petitioner, directs the authority concerned to consider the representation of the petitioner dated 12.09.2022 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, fifth respondent as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order.



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4.Accordingly, this writ petition stands disposed of. No costs.

[R.M.D.,J.] & [J.S.N.P.,J.]
20.10.2022

Index : Yes / No

Internet : Yes

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To

- 1.The District Collector,
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- 2.The District Enviornmental Engineer,
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Nagercoil,
Kanniyakumari District.
- 3.The Commissioner / Executive Officer,
Anjukramam Town Panchayat,
Kanniyakumari District.
- 4.The Assistant Director of Town Panchayat,
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R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
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20.10.2022