



W.P.No.14178 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.14178 of 2019

Sri Ponnamman Nagar Residents Welfare Association,
(Reg. No.220/05)
rep. by R.Babu, Committee Member,
No.12, Ponnamman Nagar,
Manali New Town,
Chennai-600 103.

.. Petitioner

Vs

1.The Principal Secretary to Government,
Housing and Urban Development Department,
(Tamilnadu Slum Clearance Board)
Fort St. George,
Chennai-600 009.

2.The Chairman,
The National Green Tribunal (Southern Zone),
Kalas Mahal, Kamarajar Salai,
PWD Estate, Chepauk, Triplicane,
Chennai, Tamil Nadu-600 005.



W.P.No.14178 of 2019

3.The Chairman,
Tamilnadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai-600 032.

4.The Managing Director,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai-5.

5.The Assistant Engineer,
Tamilnadu Slum Clearance Board,
Tondiarpet, Chennai-81.

6.Renaatus Projects Private Limited,
rep. by its Proprietor,
No.156, Mupllapurappu,
N.G.Palayam (Post)
Erode-638 115.

7.V.Sathyamoorthi & Co.,
rep. by its Proprietor,
No.41, Patel Road,
Erode-638 001.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1 to 5 respondents to take appropriate action on the representation of the petitioner dated 26.04.2019 of the general public at large and conduct an enquiry on the representation and take action under rule 8 of the Noise Pollution (Regulation & Control) Rules, 2000 in accordance with law within a time frame fixed by this Court and to



W.P.No.14178 of 2019

pay compensation to the aggrieved persons for the damages caused to the buildings.

For the Petitioner : Mr.G.Ilamurugu

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondent No.1

: Ms.Shanmugavalli Sekar
for respondent No.3

: Mr.S.Prabhu
for respondent Nos.4 & 5

: No Appearance
for respondents 2, 6 and 7

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.G.Ilamurugu, learned counsel for the petitioner; Mrs.R.Anitha, learned Special Government Pleader for the first respondent; Ms.Shanmugavalli Sekar, learned counsel for the third respondent; and, Mr.S.Prabhu, learned counsel for respondents 4 and 5.



W.P.No.14178 of 2019

WEB COPY

2. Learned counsel for the petitioner submits that the residential house sites are handed over to the Tamil Nadu Slum Clearance Board and heavy works (construction activities) are done on the land. Due to heavy construction activities, the nearby houses are affected by vibration and the houses of the residents of the petitioner association developed cracks. The construction activities are carried on from 6 a.m. till 10 p.m., thereby causing nuisance to the members of the petitioner association and the school going children.

3. Learned counsel for respondent Nos.4 and 5 submits that the construction activity has been completed and has come to an end. The tenements are also allotted and now no construction activity in the said locality is under progress.

4. In the light of the that, the purpose of the writ petition now would not survive. The writ petition is disposed of. There will be no



W.P.No.14178 of 2019

order as to costs. Consequently, W.M.P.No.14233 of 2019 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

10.11.2023

Index : Yes/No
Neutral Citation : Yes/No
bbr

To

- 1.The Principal Secretary to Government,
Housing and Urban Development Department,
(Tamilnadu Slum Clearance Board)
Fort St. George,
Chennai-600 009.
- 2.The Chairman,
National Green Tribunal (Southern Zone),
Kalas Mahal, Kamarajar Salai,
PWD Estate, Chepauk, Triplicane,
Chennai, Tamil Nadu-600 005.
- 3.The Chairman,
Tamilnadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai-600 032.
- 4.The Managing Director,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai-5.
- 5.The Assistant Engineer,
Tamilnadu Slum Clearance Board,
Tondiarpet, Chennai-81.



WEB COPY



W.P.No.14178 of 2019

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

bbr

W.P.No.14178 of 2019

10.11.2023



WEB COPY



W.P.No.14178 of 2019