



W.P.No.18178 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.No.18178 of 2023 and

WMP No.18178 of 2023

N.Janarthanam

... Petitioner

Vs.

1.The Commissioner, Greater Chennai Corporation,
Ribbon Building, Chennai.

2. The Zonal Officer, Zone-3, (Madhavaram),
Greater Chennai Corporation, No.1,
Thattankulam Street, Bazar Street,
Madhavaram, Chennai 600 060.

3. The Chairman, Tamil Nadu Pollution Control Board,
No.7, Mount Road, Guindy, Chennai.

4. Murugan
Respondents

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representations dated 06.04.2022, 11.05.2022 and 09.06.2022



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and further to cancel the licence, lock and seal the small scale industry run by the fourth respondent in the residential area in accordance with law, within the time frame.

For Petitioner : Mr.P.Krishnan

for Mr.B.Jeyanthi

For Respondents : Mr. Prithivi Chopda
Standing counsel for R1 and R2

Mrs.Shanmugavallisekar
Standing Counsel for R3

ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

This petition has been filed to direct the respondents 1 to 3 to consider the petitioner's representations dated 06.04.2022, 11.05.2022 and 09.06.2022 and further to cancel the licence, lock and seal the small scale industry run by the fourth respondent in the residential area in accordance with law, within the time frame.

2. The petitioner is residing at No.44, Mariamman Koil Street, Madhavaram, Chennai, which is classified as residential area by the Chennai City Corporation. But, opposite to the house of the petitioner, the fourth



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respondent is running a welding shop and he has obtained license only to run fabrication and artwork business, not to run welding business. The smoke and fire sparks emanate from the said shop causing serious health hazard to the petitioner and his family members. Therefore, the petitioner has made representations on 06.04.2022 and 11.5.2022 and 09.06.2022 to the respondents 1 to 3, no action has been taken. Hence the writ petition.

3. The learned Standing Counsel appearing for the respondents 1 and 2 submitted that, the representation dated 11.05.2022 has been received by the Corporation and the same will be considered and appropriate orders will be passed by the authorities concerned in accordance with law.

4. In view of the above submission made by the learned Standing Counsel, the second respondent is directed to consider the petitioner's representation dated 11.05.2022 and pass order, on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after providing opportunities to petitioner and the fourth respondent. It is needless to say that this Order will not stand in the



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way of the fourth respondent to produce all the material evidence with regard to his business before the authorities concerned.

5. With the above direction, this writ petition is disposed of. No costs.

Consequently, connected writ miscellaneous petition is closed.

(D.K.K.J.) (P.D.B.J.)

21.06.2023

Internet: Yes/No

Index : Yes/No

mst

To

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