



WP.No.1207/2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.1207/2023

G.Ramanujam

.. Petitioner

Vs.

- 1.The Ministry of Environment, Forest
and Climate Change, rep.by its
Secretary, Government of India
Indira Paryavaran Bhawan
Jorbagh Road
New Delhi 110 003.
- 2.The Ministry of Environment, Forest
and Climate Change, rep.by its
Secretary, Government of Tamil Nadu
Fort St George, Chennai 600 009.
- 3.The District Collector
District Collectorate
Udhagamandalam
The Nilgiris 643001.



WEB COPY



WP.No.1207/2023

- 4.The District Environmental Engineer
Tamil Nadu Pollution Control Board
Additional Collectorate, New Building
Block II, Ground Floor, Finger Post
Udhagamandalam-643 006.
- 5.The Forest Range Officer
Pandalur Range, Gudalur
The Nilgiris.
- 6.The Superintending Engineer
Construction and Maintenance
Highways Department,
No.1653, Highways Compound
Trichy Road, Coimbatore 641018.
- 7.The Divisional Engineer
Quality Control, Highway Complex
Trichy Road, Coimbatore 641 018.
- 8.The Divisional Engineer
Highway C&M, Bombay Castle
Ooty 643 001.
- 9.P.Rayin Civil and Conveyance Contractor
SF No.112/1E1/A1, Devala Village
Gudalur Village, Gudalur Taluk
The Nilgiris 643270.
- 10.P.Rayin Construction Company Pvt Ltd
Cherambadi, Cherambadi Chungam,
The Nilgiris 643 205.

.. Respondents



WP.No.1207/2023

WEB COPY

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents herein to dispose of representation herein dated 25.10.2022 within the time as may be fixed by this Court.

For Petitioner	:	Mr.R.Ramamoorthy
For R1	:	Mr.R.Sidharth
For RR2,3,5 to 8	:	Mr.P.Muthukumar Government Pleader
For RR9 & 10	:	Mr.G.Dhinesh for M/s.Wilson Associates

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1) Mr.R.Sidharth, learned counsel accepts notice on behalf of the 1st respondent ; Mr.P.Muthukumar, learned Government Pleader accepts notice on behalf of respondents 2, 3 5 to 8 and Mr.G.Dhinesh, learned counsel accepts notice on behalf of respondents 9 and 10.
- (2) This writ petition is filed for issuance of a writ of mandamus directing the respondents to dispose of the petitioner's representation



WP.No.1207/2023

WEB COPY dated 25.10.2022.

- (3) The learned counsel for the petitioner referred to the representation and submitted that serious objections have been raised as against the 9th respondent for the establishment of tar mixing plant which is within the prohibited distance from the Forest lands.
- (4) In the representation submitted by the petitioner, several factual issues have been raised. Therefore, having regard to the limited scope of the prayer that is now sought for before this Court in this writ petition, this Court, without expressing any opinion on the merits of the petitioner's representation, directs the 4th respondent to consider and dispose of the petitioner's representation dated 25.10.2022 after holding an enquiry and giving adequate opportunity to the petitioner as well as the 9th respondent and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner and the 9th respondent herein.



WP.No.1207/2023

WEB COPY

(5) The writ petition stands **disposed of accordingly**. No costs.

[SSSRJ] [AANJ]
19.01.2023

AP

Internet : Yes

To

- 1.The Secretary, Government of India
Ministry of Environment, Forest
and Climate Change,
Indira Paryavaran Bhawan
Jorbagh Road, New Delhi 110 003.
- 2.The Secretary, Government of Tamil Nadu
Ministry of Environment, Forest
and Climate Change,
Fort St George, Chennai 600 009.
- 3.The District Collector
District Collectorate
Udhagamandalam
The Nilgiris 643001.
- 4.The District Environmental Engineer
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- 5.The Forest Range Officer



WP.No.1207/2023

WEB COPY

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WP.No.1207/2023

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WP.No.1207/2023

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