



W.P.(MD) No.109 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.109 of 2023

and

W.M.P.(MD)No.121 of 2023

S.V.Nanthagopal

... Petitioner

-Vs-

1.The District Collector,

Collectorate Complex,

Madurai District, Madurai.

2.The District Environmental Engineer,

Tamil Nadu Pollution Control Board,

Kappalur, Madurai-625 008.

3.The Assistant Executive Engineer,

Tamil Nadu Generation and Distribution Corporation Ltd.,

Mattapparai, Dindigul District.

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4.The Executive Officer,
Vadipatti Town Panchayat,
Madurai District.

5.Kavitha Senthilkumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary steps in accordance with law to close down two coir path manufacturing units belonging to the 5th respondent functioning in S.F.Nos.436/1 and 438/1 situated at Mattaparai, Kulasekarankottai Revenue Village, Vadipatti Taluk, Madurai District based on the petitioner's representation dated 27.12.2022.

For Petitioner	: Mr.R.Murugan
For R1	: Mr.P.Thilak Kumar, Government Pleader
For R2	: Mr.Vijayakumar Natarajan Standing Counsel
For R3	: Mr.S.Deendhayalan, Standing Counsel
For R4	: Mr.K.Balasubramani, Special Government Pleader



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed seeking issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take necessary steps in accordance with law to close down two coir path manufacturing units belonging to the 5th respondent functioning in S.F.Nos.436/1 and 438/1 situated at Mattaparai, Kulasekarankottai Revenue Village, Vadipatti Taluk, Madurai District based on the petitioner's representation dated 27.12.2022.

2.Mr.P.Thilak Kumar, learned Government Pleader takes notice for the 1st respondent, Mr.Vijayakumar Natarajan, learned Standing Counsel takes notice for the 2nd respondent, Mr.S.Deendhayalan, learned Standing Counsel takes notice for the 3rd respondent and Mr.K.Balasubramani, learned Special Government Pleader takes notice for the 4th respondent. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 5th respondent is dispensed with.

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3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4.Though the petitioner has raised several grounds in this Writ Petition, during the course of arguments, the learned counsel for the petitioner submitted that it is suffice, if the representation of the petitioner dated 27.12.2022 is directed to be considered by the official respondents within a time frame.

5.The learned Government Pleader for the 1st respondent, on instructions, submitted that the representation of the petitioner dated 27.12.2022 would be considered and appropriate orders would be passed on merits and in accordance with law.

6.In view of the aforesaid submissions made on either side, without going into the merits of the case, we are inclined to direct the 2nd respondent to

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consider the representation of the petitioner dated 27.12.2022 and pass appropriate orders on its own merits and in accordance with law, after providing sufficient opportunity of hearing to all the parties concerned, including the 5th respondent. Such an exercise shall be completed as early as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
04.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

To

1. The District Collector,
Collectorate Complex,
Madurai District, Madurai.

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2.The Executive Officer,
Vadipatti Town Panchayat,
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