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W.P.(MD) No.3073 of 2008

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD) No.3073 of 2008

and

M.P.(MD) No.1 of 2008

K.Rajeswari

... Petitioner

-VS-

1.The Tamil Nadu Pollution Control Board
rep.by its Member Secretary
76, Mount Salai, Guindy
Chennai-9

2.The Tamil Nadu Pollution Control Board
rep.by its District Pollution Control Engineer
SIDCO Industrial Estate
Kappallur, Madurai-8

3.The Commissioner
Karaikudi Municipality
Karaikudi, Sivagangai District

4.Meenakshi
Proprietress
Lana Works near Income Tax Office
Karaikudi, Sivagangai District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the third respondent to give effect to the instructions of the second respondent for removing the industry of the fourth respondent at No.30, Income Tax Office Road, Karaikudi, Sivagangai District forthwith.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Ms.Vijayakumari Natarajan
Standing Counsel for R1 & R2
R3 – Dismissed for Default
No appearance for R4

ORDER

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

The relief sought for in this writ petition is to direct the third respondent to give effect to the instructions of the second respondent for removing the industry of the fourth respondent at No.30, Income Tax Office Road, Karaikudi, Sivagangai District, forthwith.

2. The petitioner states that she is a permanent resident of No.9A, South Lane-II, Sekkalai, Karaikudi, Sivagangai District. The fourth respondent is running a bronze industry under the name and style of Lena



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Works having the workshop in the backside of the petitioner's residential premises. Since the permission was granted to the fourth respondent to run the industry within the prohibited area, the petitioner submitted a representation to the respondents and the second respondent has issued instructions to the third respondent in this regard.

3. On account of efflux of time, we direct the respondents 1 & 2 to conduct a field inspection and initiate all appropriate actions under the provisions of the relevant statutes and the Rules in force, if any violation is identified. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.L.N., J.]

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

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