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W.P.(MD) No.796 of 2010

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2023

CORAM:

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

W.P.(MD) No.796 of 2010

and

M.P.(MD) No.1 of 2010

Muniyandi

... Petitioner

-vs-

- 1.The District Collector
Virudhunagar District
Virudhunagar
- 2.The Superintendent of Police
Virudhunagar District
Virudhunagar
- 3.The District Environment Engineer
Tamil Nadu Pollution Control Board
6-26, Sangi Street
Madurai Road
Virudhunagar



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4.The Commissioner
Panchayat Union
Srivilliputhur
Virudhunagar

5.Sundaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 & 2 to take appropriate legal action against the fifth respondent who is running the unauthorized lime manufacturing unit, which license was cancelled vide proceedings of the fourth respondent in O.Mu.A6/711/09, dated 30.03.2009, situated at Kamaraj Nagar, Thiruvanamalai Panchayat, Srivilliputhur Taluk, Virudhunagar District.

For Petitioner : Mr.C.Mayil Vahana Rajendran

For Respondents : Mr.S.Shanmugavel
Addl. Government Pleader for R1, R2 & R4
Ms.Vijayakumari Natarajan for R3
Mr.S.Rajasekar
for M/s.Lajapathi Roy & Associates for R5



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ORDER

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

The relief sought for in this writ petition is to direct the respondents 1 & 2 to take appropriate legal action against the fifth respondent, who is running unauthorized lime manufacturing unit, for which license was cancelled *vide* proceedings of the fourth respondent in O.Mu.A6/711/09, dated 30.03.2009, situated at Kamaraj Nagar, Thiruvanamalai Panchayat, Srivilliputhur Taluk, Virudhunagar District.

2. It is needless to state that no person is entitled to run lime manufacturing unit, without any licence.

3. Learned Additional Government Pleader appearing for the respondents 1, 2 & 4, on instructions, submitted that the licence granted to the fifth respondent to run lime manufacturing unit had expired long back.

4. In view of the above submission, if at all licence granted to the fifth respondent is renewed, the petitioner is at liberty to approach this Court by way of a fresh writ petition. If the licence is not renewed and if any



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illegality is committed by anybody in running the lime manufacturing unit without licence, then the State Government is bound to initiate appropriate action.

5. With the above clarification, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.L.N., J.]

06.10.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 3.The Commissioner,
Panchayat Union,
Srivilliputhur,
Virudhunagar.



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and
V.LAKSHMINARAYANAN, J.

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M.P.(MD) No.1 of 2010

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