



W.P.(MD)No.13391 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13391 of 2021

R.Murugesan

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation, Arignar Anna Maigai, Madurai.

3.The Health Officer,
Madurai Corporation, Arignar Anna Maligai, Madurai.

4.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
Kappalur, Madurai- 625 008

5.Jeyamuthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to take action to stop the Pollution being caused by the 5th Respondent in the light of the 3rd respondent's order dated 31.08.2020.



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For Petitioner	:Mr.V.Santhakumaresan
For R1	:Mr.A.K.Manikkam
	Special Government Pleader
For R2 and R3	:Mr.K.Sivabalan
For R4	:Ms.Vijayakumari Natarajan
For R5	:Mr.S.Muniyandi

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second respondent, namely, the Madurai Corporation to take action against the fifth respondent based on the report submitted by the Pollution Control Board through proceedings dated 31.08.2020.

2.The learned Counsel for the petitioner submitted that he has already returned the bundle to the petitioner and has also given change of vakalat.

3.The case of the petitioner is that the fifth respondent was manufacturing plastic materials by running a factory without any licence and has also causing pollution to the locality. A complaint was made in this regard to the Pollution Control Board and the third respondent



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through proceedings dated 31.08.2020, found that the fifth respondent was causing pollution and doing manufacturing activity without getting any permission and therefore, their licence itself was withdrawn by the Pollution Control Board. In spite of the same, the fifth respondent was continuing to undertake the manufacturing activity. Hence, the petitioner made a representation in this regard to the Corporation to stop the illegal activity of the fifth respondent. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. When the matter was taken up for hearing, the learned Standing Counsel appearing on behalf of the Madurai Corporation submitted that pursuant to the filing of the above Writ Petition, an inspection was conducted by the officials of the Madurai Corporation and that a response will be sent to the petitioner in this regard within a time frame fixed by this Court.

5. Taking into consideration the facts and circumstances of the case and the proceedings of the third respondent dated 31.08.2020 and also the submission made by the learned Standing Counsel for the Madurai



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Corporation, there shall be a direction to the third respondent to respond to the petitioner on the action taken within a period of four weeks from the date of receipt of a copy of this order.

6.This Writ Petition is disposed of with the above directions. No costs.

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

06.11.2023

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To

The District Collector,
Madurai District, Madurai.



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N.ANAND VENKATESH, J.

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