



W.P(MD)No.19618 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19618 of 2015

and

W.M.P.(MD)No.1 of 2015

V.K.Subramania Raja

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.6/26, Gangai Street,
Madurai Road,
Virudhunagar-626 001,
Virudhunagr District.

3.The Block Development Officer (Village Panchayat)
Rajapalayam Panchayat Union,
Tenkasi Road,
Rajapalayam Post -626 117,
Virudhunagar District.

4.The Executive Officer / President,
Melapattam Karisalkulam Village Panchayat,
M.P.K.Pudupatti Post-626 110,
Rajapalayam Taluk,
Virudhunagar District.



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5.Mangai

6.Jeyaram

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the Respondents 1 to 4 from granting permission to the Respondents 5 and 6 to operate or to install the Bricks kiln Manufacturing unit near to the Petitioners Spinning Mill.

For Petitioner : Mr.M.Saravana Kumar

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R1, R3 & R4
: Mrs.Vijayakumari Natarajan for R2
: No appearance for R6

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for R1, R3 & R4. The learned standing counsel for the second respondent was also heard. The fifth respondent had passed away. The sixth respondent has been served and his name is printed in the cause list.

2. The grievance of the petitioner is that in the petition mentioned site, the bricks-kiln are being manufactured without proper authorization. The petitioner wants the same to be closed. When the matter was taken up for final



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hearing, the learned Special Government Pleader produced a copy of the instructions given by the jurisdictional BDO to the local body. The fourth respondent has been directed to conduct enquiry and find out if the brick manufacturing activities are duly licensed and whether there is any breach of the statutory formalities. If the unit is unlicensed, it has been directed that it should be closed until the license is obtained. The fourth respondent is directed to enforce the communication bearing Na.Ka.No.B1/3217/15, dated 09.08.2023. The decision taken by the local body will be communicated to the petitioner. The petitioner shall also be heard before final order is passed.

3. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

24.08.2023

Index : Yes / No
Internet : Yes/ No
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To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Block Development Officer (Village Panchayat)
Rajapalayam Panchayat Union,
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3.The Executive Officer / President,
Melapattam Karisalkulam Village Panchayat,
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