



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.03.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.5291 of 2024

B.Balaji

... Petitioner

Vs

1.The District Collector,
Chengalpattu District,
GST Road, Chengalpattu 603001.

2.The Commissioner/Block Development Officer,
Thirukalukundram Phanchayat Union,
Thanthai Periyar Maligai,
Chengalpattu Road,
Thirukalukundram – 603 109.

3.The District Fire Officer,
V.O.C.Nagar, Ammanapakkam,
Chengalpattu District – 603 001.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to take action on the representation dated 25.09.2023 to initiate appropriate action against Sri Lakshmi Marriage Hall in Kothandaramar Kovil Street, Ponvillaintha Kalathur, Thirukalukundram Taluk, Chengalpattu District.

For Petitioner : Mr.R.Sreerangan

For Respondents : Mr.S.Balamurugan (R1 and R3)



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Government Advocate
Mrs.E.Ranganayagi (R2)
Additional Government Pleader

ORDER

Mr.S.Balamurugan, learned Government Advocate accepts notice for R1 and R3 and Mrs.E.Ranganayagi, learned Additional Government Pleader accepts notice for R2. They are armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. The prayer of the petitioner is for a mandamus directing the respondents to take action on his representation dated 25.09.2023 and to initiate appropriate action against the owners of Sri Lakshmi Marriage Hall at Kothandaramar Kovil Street, Ponvillaintha Kalathur, Thirukalukundram Taluk, Chengalpattu District (in short 'Hall'/'Hall in question').

3. The owner of the Hall has not been arrayed as respondent in this Writ Petition and it would be appropriate had it been done. Be that as it may, there are communications, one of which is Letter No.DEE/TNPCB/MMN/5169950/2023 dated 27.04.2023, from the District Environmental Engineer, Tamil Nadu Pollution Control Board to R2/ the Commissioner/Block Development Officer of Thirukalukundram Panchayat Union.

4. The former authority states that a complaint had been received from Tmt.Rani, who is stated to be the petitioner's mother regarding the fact that the



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solid waste generated from the Hall was not disposed properly. That complaint had been forwarded to R2 for taking immediate and necessary action.

Admittedly, nothing has been done till date.

5. That apart, R3/District Fire Officer has vide proceedings bearing Na.Ka.No.149/U.M.A/2023 dated 16.05.2023 also responded to the petitioner's communication confirming that the owners of the Hall have not obtained necessary approval and permission for running such a Hall.

6. In the aforesaid circumstances, mandamus is issued to R1 to look into the matter immediately insofar as non-disposal of solid waste in proper manner amounts to a public health hazard, and take action on representation dated 25.09.2023. It is made clear that the petitioner, owners of the Hall as well as residents in that locality will be heard and the representation disposed, taking into account communications dated 27.04.2023 and 16.05.2023, referred to supra, within a period of six(6) weeks from today.

7. This Writ Petition is disposed as above. No costs.

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Index : Yes / No

Speaking order

Neutral citations:Yes

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To

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Dr.ANITA SUMANTH,J.

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