



WEB COPY



W.P.No.27655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.27655 of 2023

R.THIYAGARAJAN

Vs

.. Petitioner

1. THE DISTRICT COLLECTOR  
OFFICE OF THE COLLECTORATE,  
KRISHNAGIRI,  
KRISHNAGIRI DISTRICT - 635 115.
2. THE COMMISSIONER  
KRISHNAGIRI MUNICIPALITY,  
KRISHNAGIRI AND DISTRICT
3. THE DEPUTY DIRECTOR  
TOWN AND COUNTRY PLANNING,  
DHARMAPURI AND DISTRICT.
4. THE DISTRICT ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD,  
PLOT NO.140A, SIPCOT INDUSTRIAL COMPLEX,  
HOSUR, KRISHNAGIRI DISTRICT - 635 126.
5. THE SUPERINTENDING ENGINEER  
ELECTRICITY BOARD, OLD CONCORD SCHOOL BUILDING,  
AVATHANAPATTI,  
KRISHNAGIRI DISTRICT - 635 001.

Respondents

..



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the 2nd respondent not to grant trading license for commercial business in the residential areas of "Kamala Nagar" and further direct the 3rd respondent not to approve any residential plots into commercial plots as well direct the 5th respondent not to grant NOC without conducting a basic study and public hearings.

For the Petitioner : Mr.F.John Joseph  
for M/s.M.Jothikumar

For the Respondents : Mr.A.Edwin Prabakar  
State Government Pleader  
for respondents 1 and 3

: Ms.Shanmugavalli Sekar  
for 4<sup>th</sup> respondent

: Mr.B.Anand  
for 2<sup>nd</sup> respondent

#### ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

Heard Mr.F.John Joseph, learned counsel for the petitioner; Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 1 and 3; Mr.B.Anand, learned counsel for the second respondent; and Ms.Shanmugavalli Sekar, learned counsel for the fourth respondent.



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2. The grievance of the petitioner is that in the area earmarked as residential house plots in Kamala Nagar, godowns have been erected and temporary sheds are also put up and industrial works like fabrication, lathe and timber cutting are being done, causing pollution and health hazards to the residents of the locality. Ventilating his grievance, the petitioner sent representation on 12.3.2020, followed by a reminder on 26.3.2023. As the said representations did not evoke any response, the present writ petition is filed.

3. Without going into the merits of the matter, this Court hereby directs the respondent authorities to consider the representation dated 12.3.2020, followed by the reminder dated 26.3.2023 sent by the petitioner, purely on merits, and pass appropriate orders within a period of eight weeks, of course after giving an opportunity of hearing to the petitioner as well as all other interested parties.



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The writ petition is disposed of accordingly. There shall be no order as to costs.

(R.M.D., ACJ.) (M.S.Q., J.)  
12.06.2024

Index : Yes/No  
NC : Yes/No  
sasi

To:

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THE HON'BLE ACTING CHIEF JUSTICE  
AND  
MOHAMMED SHAFFIQ,J.

(sasi)

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