



W.P.(MD) No.1093 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1093 of 2024

and

W.M.P.(MD)Nos.1120 & 1121 of 2024

Franklin Kishore
Rep. by his Power Agent
V.Goshia

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Kanyakumari District.
- 2.The Executive Officer, Grade - 1,
Killiyoor Grade – 1, Town Panchayat,
Kanyakumari District.
- 3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,



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WEB COPY No.318/46A, Water Tank Road,
Nagercoil,
Kanyakumari District.

4. The Station Officer, Department of Fire and Rescue,
Kuzhithurai,
Kanyakumari District.

5. The Tahsildar, Vilavancode Taluk,
Kanyakumari District.

6. Nesammal ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the 2nd respondent proceedings in Na.Ka. No.622/2023, dated 27.12.2023 to quash the same.

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.N.Satheesh Kumar,
Addl. Govt. Pleader for R1, R4 & R5

Mr.T.Amjadkhan,
Govt. Advocate for R2

Mrs.Vijakumari Natrajan for R3



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the proceedings of the second respondent in Na.Ka.No. 622/2023 dated 27.12.2023, in which the license already granted for running Hallow Block Manufacturing Unit was cancelled, the petitioner has filed this Writ Petition.

2. This Writ Petition is taken up for final disposal at the admission stage itself.

3. We have heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1, 4 and 5 and the learned Government Advocate appearing for the second respondent and the learned Standing Counsel appearing for the third respondent and perused the materials available on record.



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4. On a perusal of the records, it is seen that in the impugned order, the second respondent has clearly stated that after obtaining No objection certificate and building plan approval from the authorities concerned, the petitioner shall run the business of Hallow Block Manufacturing Unit. Therefore, we are of the view that there is no illegality in the impugned order passed by the second respondent. Further, we are not satisfied with the grounds raised by the petitioner in the affidavit filed in support of this Writ Petition and hence, this Writ Petition is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] [R.V., J.]

22.01.2024

Neutral Citation: Yes / No
Index : Yes / No

vsm

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