



W.P.(MD) No.2448 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.2448 of 2024

and

W.M.P.(MD)No.2462 of 2024

T.Chandrasekar

... Petitioner

-Vs-

- 1.The District Collector,
Kanyakumari District,
at Nagercoil.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Kanyakumari District at Nagercoil.
- 3.The Joint Director,
Medical and Health Services,
Nagercoil, Kanyakumari District.
- 4.The Assistant Director,
District Town and Country Planning Authority,
Collector Office Campus,
Nagercoil-629 001.
- 5.The Executive Officer,
Mandaikadu Town Panchayat,
Kanyakumari District.

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6.Stephen

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 5 from granting permission to the 6th respondent to run the saw mill in Survey Nos.485/6B, 485/5A2, 485/28B situated at Manavalakurichi Villlage, Mandaikadu Town Panchayat, Kanyakumari District.

For Petitioner	: Mr.V.Sasi Kumar
For R1, R3 & R4	: Mr.S.P.Maharajan Special Government Pleader
For R5	: Mr.T.Amjadkhan Government Advocate
For R6	: Mr.I.G.Ivyn for M/s.Isaac Chambers
For R2	: Ms.Vijayakumari Natarajan

ORDER

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

This writ petition was filed to forbear the respondents 1 to 5 from granting permission to the 6th respondent to run the saw mill in Survey Nos. 485/6B, 485/5A2, 485/28B situated at Manavalakurichi Villlage, Mandaikadu Town Panchayat, Kanyakumari District.



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2.Mr. Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents 1, 3 and 4, Mr.T.Amjadkhan, Government Advocate takes notice for the fifth respondent, Mr.I.G.Ivyn, learned counsel takes notice for the sixth respondent and Ms.Vijayakumari Natarajan, learned counsel takes notice for the second respondent. By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

3.Today, when the writ petition is taken up for hearing, the learned counsel for the Tamil Nadu Pollution Control Board submits that the petitioner without approaching the authorities concerned seeking details of the application filed by the sixth respondent, had straight away approached this Court by filing this writ petition. She further submits that by proceedings dated 15.08.2023 itself had granted consent to the sixth respondent to run a saw mill in the petition mentioned property. A copy of the said proceedings has also been produced and the same is placed on record.

4.In view of the above submission, no further adjudication is required to be undertaken in this writ petition. Accordingly, this writ petition is dismissed

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with liberty to the petitioner to challenge the proceedings of the second respondent, if he is so advised, in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
07.02.2024

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

To

- 1.The District Collector,
Kanyakumari District,
at Nagercoil.
- 2.The Joint Director,
Medical and Health Services,
Nagercoil, Kanyakumari District.
- 3.The Assistant Director,
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