



W.P.(MD) No.12925 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM:

**THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD) No.12925 of 2024

S.Vijayakumar

... Petitioner

-VS-

- 1.The District Collector
Thanjavur
Thanjavur District
- 2.The Commissioner
Thanjavur City Municipal
Corporation Office
Gandhiji Road
Thanjavur District
- 3.The District Environmental Engineer
Tamilnadu Pollution Control Board
Plot No.23, Sidco Industrial Estate
Opp.to Uzhavar Chandai
Nanjikottai Road
Thanjavur District-613 006
- 4.The Block Development Officer
Thanjavur Panchayat Union
Panagal Building
Thanjavur District



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5.Vasanthabhavan Hotel
through its Manager
Sundarameen Nagar
Maraiamman Kovil
Thanjavur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to take appropriate action against the illegal functioning of the fifth respondent Hotel namely “Vasanthabhavan”, situated at Sundarameen Nagar, Mariamman Kovil, Thanjavur District, in light of the communication proceedings made by the third respondent in Letter No.Masukupo/tanamakava/Thanjai/Pookar No. 000532/2024, dated 08.05.2024 to the fourth respondent, within the time stipulated by this Court.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R4
Mr.N.Dilip Kumar
Standing Counsel for R2
Ms.Vijayakumari Natarajan
Standing Counsel for R3



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ORDER

R.MAHADEVAN, A.C.J.

And

G.R.SWAMINATHAN, J.

Heard the learned counsel for the petitioner, learned Government Pleader for the respondents 1 & 4 and learned Standing Counsels for the respondents 2 and 3.

2. Issuance of notice to the fifth respondent is dispensed with.

3. The petitioner alleges that the fifth respondent is being run in a manner as to cause pollution and nuisance to the members of the locality.

4. Learned Standing Counsel for the Pollution Control Board confirmed the allegations made by the petitioner herein.

5. In fact, our attention is drawn to the communication, dated 08.05.2024 sent by the Pollution Control Board to the jurisdictional Block Development Officer.



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6. We, therefore, direct the fourth respondent to enquire into the petitioner's complaint and take action as per law. The fourth respondent will put the fifth respondent on notice before passing any order. We make it clear that we have not gone into the merits of the matter. All the contentions and defence of the fifth respondent are left open. This exercise shall be completed by the fourth respondent within a period of three months from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of. No costs.

[R.M.D., A.C.J.]

[G.R.S., J.]

19.06.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk / ias

To:

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Block Development Officer,
Thanjavur Panchayat Union,
Panagal Building,
Thanjavur District.



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G.R.SWAMINATHAN, J.

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