



W.P(MD)No.18610 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.18610 of 2019

Balakrishnan

... Petitioner

Vs

- 1.The District Collector,
O/o. District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.1, Jothi Nagar,
Collectorate Post,
Ramanathapuram District.
- 3.The Food Safety Officer,
R.S.Mangalam,
Ramanathapuram District.
- 4.The Inspector of Police,
R.S.Mangalam Police Station,
R.S.Mangalam,
Ramanathapuram District.
- 5.Balamurugan
- 6.The Executive Officer.
R.S.Mangalam Town Panchayat,
R.S.Mangalam,
Ramanathapuram District.

... Respondents

*(R – 6 is impleaded vide order dated 01.07.2022
in W.M.P(MD)No.15005 of 2020)*



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to take action against the fifth respondent herein for polluting the air in and around the vicinity of the petitioner's Village and regulated his company by considering the petitioner's representation dated 05.08.2019 subsequently on 16.08.2019 within the time stipulated by this Court.

For Petitioner	: Mr.M.Thirunavukkarasu
For RR 1 & 3	: Mr.M.Senthil Ayyanar Government Advocate
For R – 2	: Ms.Madhuri Donti Reddy Standing Counsel
For R – 4	: Mrs.M.Aasha Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed by the petitioner for a direction directing the respondents 2 and 3 to take appropriate action as against the fifth respondent for causing the pollution by complaints dated 05.08.2019 and 16.08.2019.

2.After a period of six years, the complaints cannot be considered now. However, the petitioner is at liberty to lodge a fresh complaint on a fresh cause of action before the authority concerned. On receipt of the same, the second respondent is directed to issue



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notice to the parties concerned, conduct enquiry and after affording an opportunity of hearing to the parties concerned, pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.

3.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

10.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
O/o. District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.1, Jothi Nagar,
Collectorate Post,
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- 3.The Food Safety Officer,
R.S.Mangalam,
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4.The Inspector of Police,
R.S.Mangalam Police Station,
R.S.Mangalam,
Ramanathapuram District.

5.The Executive Officer.
R.S.Mangalam Town Panchayat,
R.S.Mangalam,
Ramanathapuram District.



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.18610 of 2019

10.12.2024