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W.P.(MD)NO.11303 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11303 of 2015 AND
M.P.(MD)No.1 of 2015

Nadar Higher Secondary School,
Rep. by its Secretary,
Pandavarmangalam,
Kovilpatti,
Tuticorin District.

... Petitioner

Vs.

1. The District Collector,
Tuticorin District,
Tuticorin.
2. The Superintending Engineer,
State Highways Department,
Palayamkottai,
Tirunelveli District.
3. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Kovilpatti,
Tuticorin District.
4. The Manager,
Aavin Milk Co-operative Society,
Tirunelveli.

5. S.Vettri Jeya Rajakumari

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to remove the Aavin Parlour illegally put up by the 5th respondent adjacent to the petitioner school in Pasuvandanai Road, Kovilpatti within the time that may be stipulated by this Court.

For Petitioner : Mr.P.Mohammed Suhail,
for M/s.Ajmal Associates.

For R-1 to R-3 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-4 & R-5 : No appearance.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 to 3.

2. There is no appearance on the side of respondents 4 and 5.

3. The writ petitioner is a recognised aided school. The grievance of the petitioner is that adjacent to the school gate,



the fifth respondent had set up an Aavin parlour without getting permission from the authorities concerned.

4. The learned Additional Government Pleader states that the fifth respondent has not been permitted to set up any Aavin parlour. If that be so, it is always open to the authorities to take action in the manner known to law.

5. I do not want to interfere at the instance of the petitioner. This is because the rights of the petitioner have not in any way been infringed. Leaving it open to the authorities to take action as per law, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.07.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The District Collector,
Tuticorin District,
Tuticorin.
2. The Superintending Engineer,
State Highways Department,
Palayamkottai,
Tirunelveli District.
3. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Kovilpatti,
Tuticorin District.



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G.R.SWAMINATHAN,J.

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