

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 18.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17273 of 2015

and

M.P.No.1 of 2015

S.Uthiramoorthy

.. Petitioner

Versus

1 The District Collector
Coimbatore District

2 The Superintendent of Police
Office of Superintendent of Police Ram
Nagar Coimbatore

3 The Inspector of Police
Sirumugai Police Station Sirumugai
Coimbatore District .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 2nd respondent not to permit the Taxi Drivers or their men or agents from parking the cabs in Highway Porampoke in front of the house of the petitioner existing in S.F. No.78/3 Sakthi Main Road Sirumugai Coimbatore District by considering the representation of the petitioner herein dt 22.5.2015.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims that he is the resident of Door No.9/55, Jeeva Nagar, Sakthi Main Road, Sirumugai, Mettupalayam Taluk, Coimbatore District. He would further submit that in front of his property, taxi drivers are parking their vehicle and causing nuisance and disturbances and his mother filed O.S.No.116 of 2005 on the file of the Court of District Munsif, Mettupalayam, restraining the defendants therein from interfering with her peaceful possession and

enjoyment either by putting up any construction or parking the vehicle and it was decreed exparte on 26.07.2005.

3. The grievance expressed by the petitioner is that however, the nuisance have not got abated and therefore, submitted a representation dated 22.05.2015 to the Director General of Police with copies marked to the respondents and though it was acknowledged on 23.05.2015, no action has been taken and hence, came forward to file this writ petition.

4. Learned counsel for the petitioner has drawn the attention of this Court to Rule 247 of Tamil Nadu Motor Vehicles Rules and would submit that unless necessary permission is granted nobody can park their vehicles in front of a private property and prays for appropriate orders.

5. This Court, heard the submissions of Mr.R.Vijaya kumar, learned Additional Government Pleader, who accepts notice for the respondents.

6. Though the petitioner has prayed for a larger relief, this Court, taking into consideration the facts and circumstances of the case and without going into the merits of the claim projected by the petitioner, directs the 3rd respondent to consider the representation dated 22.05.2015 submitted by the petitioner, in accordance with law, after providing an opportunity of personal hearing to the petitioner and putting on notice the persons concerned and pass orders as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner as well as to the persons concerned.

7. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

ars

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1 The District Collector
Coimbatore District

2 The Superintendent of Police
Office of Superintendent of Police
Ram Nagar Coimbatore

3 The Inspector of Police
Sirumugai Police Station Sirumugai
Coimbatore District

+ 1 cc to Government Pleader SR 30064

+ 1 cc to Mr.R.Nalliyappan, Advocate SR 29924

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