



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.12542 of 2014

S.Selvam

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Commissioner,
Rajapalayam Municipality,
Rajapalayam Town,
Virudhunagar District.

3.The Inspector of Police,
South Police Station,
Rajapalayam Town,
Virudhunagar District.

4.The Divisional Engineer,
Highways Department,
Alagarkovil Road,
Madurai.

5.Thiyagi Arangasamy Raja Centenary Celebration
Committee, Rep by its
Secretary,
No.75, Singaraja Kottai Big Street,
Rajapalayam Town,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to remove the park around Thiyagi Arangasamy Raja a Statue which is situated at T.S. No. 45 Block No.6 Ward E of Madurai Raja Kadai Street in Tenkasi Road, Rajapalayam Town and bring the same for public utility for having free access by the general public.

For Petitioner : Mr.M.Thirunavukkarasu
For Respondents 1,3&4 : Mr.A.K.Baskarapandian,
Special Government Pleader.

For 2nd Respondent : Mr.P.Alagusundaram

For 5th Respondent : Mr.M.P.Senthil



ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

The only grievance appears to be that the park put up around Thiyaagi Arangasamy Raja statue is causing difficult for free access to general public. In this regard, the petitioner has given a representation dated 15.07.2014 to the respondents. Since no order has been passed so far, the present writ petition has been filed.

2.This issue has to be gone into by the District Collector or by the Divisional Engineer, Highways Department, the fourth respondent herein. Therefore, the fourth respondent is directed to take a decision in this matter on its own merits considering the representation given by the petitioner in accordance with law. It is made clear that if any third party rights will be affected or if rights of any class of persons is affected then all concerned should be taken to confidence if any action is proposed.

3.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

sms

To

1.The District Collector, Virudhunagar District, Virudhunagar.

2.The Inspector of Police, South Police Station,
Rajapalayam Town, Virudhunagar District.

3.The Divisional Engineer, Highways Department,
Alagarkovil Road, Madurai.

4.The Commissioner,
Rajapalayam Municipality,
Rajapalayam Town,
Virudhunagar District.

+one cc to Mr.M.P.Senthil, Advocate in SR.No.46805

+one cc to Mr.M.Thirunavukkarasu, Advocate in SR.No.46627

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CSL/AN-MP/11.09.2015

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