



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2015

CORAM:

THE HONOURABLE Dr.JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

W.P (MD) No.3888 of 2015

S.Lingusamy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Block Development Officer,
(Village Panchayat)
Sivakasi Panchayat Union,
Virudhunagar District.

4.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.

5.The President,
Sengamalanatchiapuram 1st Grade Village
Panchayat, Sivakasi Panchayat Union,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to follow the procedures stated in the Tamil Nadu Panchayats (Licensing of Pandals and Temporary Structures on Road margin vested in the Highways and Rural works Department in Village Panchayat Area) Rules, 1999 in letter and spirit before granting any license for erecting any temporary structures in the Sengamalanatchipuram junction and pass any further or other orders as this Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

For Petitioner : Mr.G.Marimuthu

For Respondents 1-4 : Mr.B.Pugalendhi,
Special Government Pleder.

ORDER

(Order of the Court was made by S.TAMILVANAN,J)

Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondents.

2.It is submitted that the writ petition has been filed seeking for a direction in the nature of Writ of Mandamus directing the respondents to follow the procedure stipulated in the Tamil Nadu Panchayats (Licensing of Pandals and Temporary Structures on Road margin vested in the Highways and Rural works Department in Village Panchayat Area) Rules, 1999 before granting any licence for erecting any temporary structure in the Sengamalanatchipuram junction.

3.It is seen that the petitioner has sent written representations to the authorities. Since, no action was taken, the present writ petition has been filed for the aforestated relief.

4.Having gone through the accompanying affidavit, material papers and the submissions made by the learned counsel, we find it just and reasonable to direct the respondents 1 and 2 to take proper action, if it is against law.

5.Accordingly, the writ petition is disposed of with a direction to the respondents 1 and 2 to give suitable directions to the concerned authorities by considering the representation of the petitioner dated 04.03.2015 and pass appropriate orders on merits in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Per.Admn)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.



3.The Block Development Officer,
(Village Panchayat)
Sivakasi Panchayat Union,
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5.The President,
Sengamalanatchiapuram 1st Grade Village
Panchayat, Sivakasi Panchayat Union,
Virudhunagar District

+One cc to Mr.G.Marimuthu, Advocate, SR.No.13511

+One cc to The Special Government Pleader, SR.No.13873

sms

RL/8c - 31/3/2015

W.P (MD) No.3888 of 2015

19.03.2015