



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.04.2015

WEB COPY

CORAM

THE HONOURABLE **MR. JUSTICE .R. MAHADEVAN**

W.P (MD) .No.4744 of 2015

The President,
Nallampillai Village Panchayat,
Vaiyampatti Union,
Manapparai Taluk,
Trichy District.

... Petitioner

Vs

1.The District Collector,
Trichy District, Trichy.

2.The Assistant Director of Panchayat,
Trichy District.

3.The Block Development Officer,
Vaiyampatti Panchayat Union,
Trichy District.

4.The President,
Aniyapur Panchayat,
Aniyapur,
Trichy District.

... Respondents

This Writ Petition has been filed praying for a Writ of Mandamus forbearing the fourth respondent from collecting charges in the form of parking fee or entry fee or in any other mode/form of collection of charges to the vehicles coming to in the temple namely Kannimaraimman Temple situated at Nallampillai Panchayat and the vehicle passes through the fourth respondent Panchayat and coming to the temple and the petitioner Panchayat.

For petitioner : Mr.J.Anandkumar

For respondents : Mr.S.Chandrasekar

Government Advocate

ORDER

This Writ Petition has been filed praying for a Writ of Mandamus forbearing the fourth respondent from collecting charges in the form of parking fee or entry fee or in any other mode/form of collection of charges to the vehicles coming to the temple, namely Kannimaraimman Temple, situated at Nallampillai Panchayat



and the vehicle passes through the fourth respondent's Panchayat.

2. Mr.S.Chandrasekar, learned Government Advocate takes notice for the respondents.

WEB COPY

3. By consent, this Writ Petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner would submit that it would be suffice if the representation of the petitioner is disposed of, on merits and in accordance with law within the time stipulated by this Court.

5. The learned counsel appearing for the official respondents has no objection in considering the request of the petitioner.

6. It is the case of the petitioner that he was permitted to collect the parking fee by the first and the second respondents. Whereas, the fourth respondent without any authority is collecting the said parking fee. In this regard, the petitioner has preferred a representation to the respondents on 12.02.2015. The said representation is still pending for consideration.

7. In view of the above, without going into the merits of the claim made by the petitioner, the second respondent is directed to pass appropriate orders, on the representation of the petitioner, dated 12.02.2015, on merits and in accordance with law, after giving notice to the fourth respondent and other interested parties, if any, within a period of two months from the date of receipt of a copy of this order. It is made clear that this order should not be construed as giving any positive direction to the second respondent who should pass orders depending upon the facts and circumstances of the case.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar



To

- 1.The District Collector,
Trichy District,Trichy.
- 2.The Assistant Director of Panchayat,
Trichy District.
- 3.The Block Development Officer,
Vaiyampatti Panchayat Union,
Trichy District.
- 4.The President,
Aniyapur Panchayat,
Aniyapur,
Trichy District.

+1cc to Mr.J.Anandkumar,Advocate Sr.No. 18130

+1cc to Spl.Government Pleader Sr.No.18252

ssm

AA/22.04.2015/3p- 7c/

W.P (MD) .No.4744 of 2015
08.04.2015