



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2015

CORAM:

THE HONOURABLE DR.JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

W.P.(MD)No.852 of 2015

and

M.P.(MD)No.1 of 2015

RM.Arun Swaminathan

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Superintendent of Police,
Dindigul District, Dindigul.

3.The Joint Commissioner / Executive Officer,
Arulmigu Thandhayuthapani Swamy Temple,
Palani, Dindigul District.

4.The Commissioner,
Palani Municipality,
Palani, Dindigul District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to ensure the public safety and health during Thai Poosam festival, 2015 and consequently, direct the respondents to remove the encroachments made in District Roads, Highways Roads, Rural Roads, road junctions and in the respective road margins in Dindigul, Palani Municipal areas, Town Panchayats and Village Panchayats in the Dindigul District by way of surprise visit by the concerned officials.

For Petitioner : Mr.R.Venkateswar

For Respondents : Mr.V.R.Shanmuganathan, Spl.G.P.for R1 & 2
Mr.Govindaraj for R3
Mr.Arjunan for R4

ORDER

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

Heard the learned counsel appearing for the petitioner, learned Special Government Pleader appearing for respondents 1 and 2 and the learned counsel appearing for the other respondents.

2.The petitioner has made a representation dated 04.12.2014 to the respondents. According to the petitioner, lot of encroachments have been made and due to that, several accidents have taken place during <https://hcservices.ecourts.gov.in/hcservices/> Thai poosam festival last year. Hence, he prayed for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made



on the roads of the Highways, Rural roads, road junctions and in the respective road margins in Dindigul, Palani Municipal areas, Town Panchayats and Village Panchayats in Dindigul District so as to enable the Thaipoosam festival to be conducted in a smooth and accident free manner.

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3.This Court cannot go into correctness of the averments made in the representation and pass orders on merits. It is for the first respondent to consider the representation of the petitioner and if there is any encroachment made on the public roads as alleged by the petitioner, the same shall be removed as per procedure known to law. Hence, the first respondent is directed to consider the representation given by the petitioner herein and dispose of the same in accordance with law and remove the encroachments if any as per procedure known to law.

4.With the above direction, the Writ petition is disposed of. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar(Per Admn.)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District, Dindigul.

2.The Superintendent of Police,
Dindigul District, Dindigul.

3.The Joint Commissioner / Executive Officer,
Arulmigu Thandhayuthapani Swamy Temple,
Palani, Dindigul District.

4.The Commissioner,
Palani Municipality,
Palani, Dindigul District.

+1cc to M/s.Jacob & Jacob Associates,Advocate, SR.No.3154

+1cc to Special Govt.Pleader SR.No.3519

W.P. (MD) No.852 of 2015
23.01.2015

nbj

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