



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.9105 of 2013 and

MP(MD)No.1 of 2013

Nithya Tharasu Public Rights
Movement Registration No.13/2013
Rep by its Chairman
Dr.M.S.Jackson,
No.106, Carmel Mount Road,
Ponnappa Nadar Nagar,
Nagercoil 004.

... Petitioner

Vs.

1. The Secretary to the Government,
Municipal Administration Department,
Government of Tamil Nadu
Fort St., George,
Chennai 600 009.
2. The District Collector,
Kanyakumari District, Collectorate,
Nagercoil 629 001.
3. The Executive Officer,
Aloor Town Panchayat,
Aloor 629 801.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to demolish the dilapidated and ruined bus shelter at parvathipuram junction, Aloor Town Panchayat Nagercoil- 629 801 within such short time as this Honourable Court may deem fit and proper and consequently direct the respondents 2 and 3 to put up a new modern bus shelter in the same demolished area with all the facilities and infrastructures to the convenience of the passengers within a time frame as may be fixed by this honourable court.

For Petitioner : Mr.S.Subbiah
For Respondents 1-3 : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

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

<https://hcservices.ecourts.gov.in/hcservices/> The petitioner has come forward with this writ petition, seeking for a direction to the respondents to demolish the dilapidated and ruined bus shelter at Parvathipuram Junction,



Aloor Town Panchayat, Nagercoil- 629 801 and to direct the respondents 2 and 3 to put up a new modern bus shelter in the same demolished area with all the facilities and infrastructures to the convenience of the passengers.

2.It is seen that the petitioner has given a representation dated 25.03.2013 to the District Collector, the second respondent herein in this regard. Since no order has been passed so far, the present writ petition has been filed.

3.Without going into the merits of the petitioner's claim, the second respondent is directed to consider the representation of the petitioner dated 25.03.2013 on its own merit and in accordance with law. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merit as per law.

4.The writ petition is disposed of as above. No costs. Consequently, M.P(MD)No.1 of 2013 is closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to the Government,
Municipal Administration Department,
Government of Tamil Nadu
Fort St., George,
Chennai 600 009.
2. The District Collector,
Kanyakumari District, Collectorate,
Nagercoil 629 001.
3. The Executive Officer,
Aloor Town Panchayat,
Aloor 629 801.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 48179

SMS

TE/GSV-PM/ 19/10/2015 2P/5C