

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.492 of 2016

Padmavathy Ammal Cultural Centre
Rep. by Mr.D.Krishnamurthy

[PETITIONER]

Vs

- 1 The District Collector
Collectorate,
Coimbatore-641 018
- 2 The Commissioner
Coimbatore City Municipal Corporation
Coimbatore-641 018
- 3 The Commissioner of Police
Traffic Department
Coimbatore-641 018
- 4 Joint Commissioner of Police
Traffic Department
Coimbatore-641 018.

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Mandamus, to direct the respondents 1 and 2 to shift the bus shelter erected in between the entry and exit gates of Smt. Padmavathy Ammal Cultural Centre at No. 1548 Avinashi Road Peelamedu, Coimbatore-641 004 to the existing place near Hopes College or any other place as to enable smooth functioning of marriages ceremonies festivals and functions etc and also with a view to have free ingress and egress to the petitioner building from Avinashi Road on the basis of the petitioner representation dated 18.11.2015 within the time to be stipulated by this Court

For Petitioner : Mr.R.Bharath Kumar

For Respondents: Mr.R.Rajeswaran
Spl.Govt. Pleader

O R D E R

Heard Mr.R.Bharath Kumar, learned Counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader accepting notice for the respondents and with their consent the Writ Petition is taken up for final disposal.

2.The petitioner which is a Cultural Centre has filed this Writ Petition for shifting the bus shelter, which was erected for the convenience of the commuting public.

3.The grievance of the petitioner as could be seen from the averments set out in the affidavit filed in support of the writ petition as well as the photographs, is that the buses are being parked for setting down the passengers just opposite to the gate of the petitioner's Cultural Centre.

4.However, the photographs reveal that the bus shelter is not in front of the gate of the petitioner's premises, but, between two gates. Therefore, the petitioner cannot have any grievance on that. Further, the Traffic Police should ensure that the buses especially the State Transport Buses and other route buses do not stop their vehicles in front of the gates of the petitioner's property which would definitely affect the very ingress and egress of the property.

5.In this regard, the petitioner is directed to submit a representation to the fourth respondent, within a period of two weeks from the date of receipt a copy of this order and on receipt of such representation, the fourth respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of three weeks thereafter.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rpa
To

1 The District Collector
Collectorate,
Coimbatore-641 018

2 The Commissioner
Coimbatore City Municipal Corporation
Coimbatore-641 018

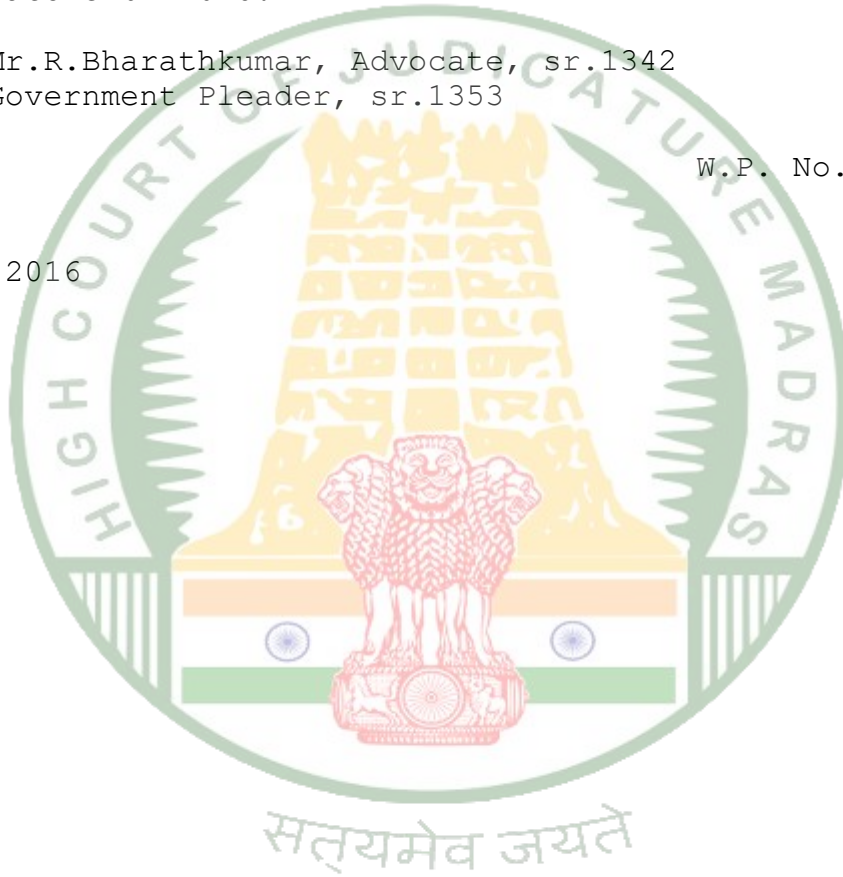
3 The Commissioner of Police
Traffic Department
Coimbatore-641 018

4 Joint Commissioner of Police
Traffic Department
Coimbatore-641 018.

+1 cc to Mr.R.Bharathkumar, Advocate, sr.1342
+1 cc to Government Pleader, sr.1353

W.P. No.492 of 2016

msm co
kra 27.01.2016



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