



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.1721 of 2015

P.Maharajan

.. Petitioner

Vs.

1. The District Collector,
Madurai District.
2. The Superintendent of Police,
Madurai District.
3. The Assistant Director,
(Town Panchayat),
Madurai Collectorate,
Office Campus, Madurai.
4. The Joint Director,
(Town Panchayat),
Madurai Collectorate,
Office Campus, Madurai.
5. The Tahsildar,
Vadipatti Taluk,
Madurai District.
6. The Executive Officer,
Town Panchayat Office,
Vadipatti Taluk,
Madurai District.
7. The Inspector of Police,
Vadipatti Police Station,
Vadipatti Taluk,
Madurai District.

8. Kasthuri

.. Respondents

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For Petitioner : Mr.K.Muthumalai
For respondents 1 to 7 : Mr.S.Chandrasekar,
Government Advocate
For 8th respondent : No appearance

[Order of the Court was made by S.NAGAMUTHU, J.]

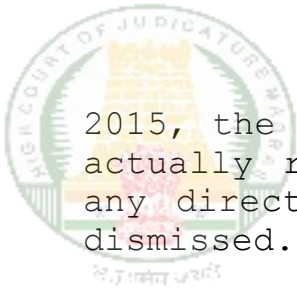
The petitioner has come up with this Writ Petition seeking a direction to the first respondent to take immediate action with regard to the needs of merchants and public, who gather in the weekly market on every Tuesday, situated at Vadipatti Taluk, Bodinayakanpatti Village, Madurai District, with the help of the 2nd respondent.

2. We have heard the learned counsel for the petitioner and the learned Government Advocate appearing for the official respondents.

3. In the counter affidavit filed by the Executive Officer, Vadipatti Town Panchayat, in paragraph No.2, it is stated as follows:

"2.It is respectfully submitted that the petitioner herein has filed this petition with a prayer for the issuance of Writ of Certiorarified Mandamus directing the respondents to consider his representation dated 13.11.2014 and to take immediate action with regard to the needs of merchants and public who gather in the weekly market on every Tuesday situated at Vadipatti Taluk, Bodinayakanpatti Village, Madurai District, with the help of the 2nd respondent is not maintainable since the sandai impugned in the present writ petition is a private market run by a family of a particular clan and without arraying them as respondents, the petitioner herein is hardly in a position to maintain the present writ petition."

4. Though the writ petition has been pending from the year



2015, the petitioner has not chosen to implead the person, who are actually running the market. In their absence, we cannot issue any direction as prayed for. This Writ Petition is, therefore, dismissed. No costs.

WEB COPY

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District.
2. The Superintendent of Police,
Madurai District.
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Town Panchayat Office,
Vadipatti Taluk,
Madurai District.
7. The Inspector of Police,
Vadipatti Police Station,
Vadipatti Taluk,
Madurai District.

+ 1 CC TO Mr.K.MUTHUMALAI, ADVOCATE IN SR No. 66200
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 66042

GCG

TE/GSV-PM : 21/11/2016 : 3P/10C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in
W.P.[MD].No.1721 of 2015
03.11.2016