



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.08.2017

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.4878 of 2017

A.Nishanth

: Petitioner

Vs.

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
3. The Deputy Superintendent of Police,
Puliankudi,
Tirunelveli District.
4. The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur,
Tirunelveli District.
5. The Sub-Inspector of Police,
Sernthamaram Police Station,
Sernthamaram,
Tirunelveli District.
6. The Block Development Officer,
Panchayat Union,
Melaneelithanallur,
Tirunelveli District.
7. The Special Officer,
Sernthamaram Panchayat,
Sankarankovil Taluk,
Tirunelveli District.

: Respondents

(R6 & R7 are impleaded vide Court Order
dated 17.07.2017 in W.M.P.(MD).Nos.7792 & 10212 of 2017)

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to instruct the fourth and fifth respondents to grant permission for forming the 'Auto Stand' at near



Ayyappan Kovil, Idaikal Road, Sernthamaram, Tirunelveli District, on the basis of the petitioner's representation dated 19.12.2016.

For Petitioner	: Mr.S.Selvakumar
For R.1 to R.5 & R.7	: Mr.M.Govindan Special Government Pleader
For R.6	: Mr.T.S.Md.Mohideen Additional Government Pleader

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O R D E R

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

The writ petitioner seeks a direction for permitting him to form a Auto Stand near Ayyappan Kovil, Idaikal Road, Sernthamaram, Tirunelveli District. He has also given representation dated 19.12.2016 in this regard.

2.The learned Additional Government Pleader filed counter affidavit on behalf of the fourth respondent/ The Inspector of Police, Kadayanallur Police Station, Kadayanallur, Tirunelveli District and also the Block Development Officer, Panchayat Union, Melaneelithanallur, Tirunelveli District.

3.It is seen from the said counter affidavits that there is also an existing auto stand located at 50 metres from the place where the writ petitioner now seeks permission. It is also submitted that as on date, 27 autos are parked in the said existing auto stand. It appears that the writ petitioner had some difference of opinion with the office bearers of the existing auto stand and that is why he wants to have an independent auto stand. Matters such as this will have to be decided only by the fourth respondent. The writ petitioner has not made out a case for giving a direction to the fourth respondent to grant the relief now sought for. The fourth respondent has filed counter affidavit expressing his apprehension that if the writ petitioner's prayer is accepted, it would give rise to law and order problem.

4. In view of the communal nature of the grievances projected by the writ petitioner, this Court finds no reason to grant the relief sought for. The Writ Petition stands dismissed.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar



To

1. The District Collector,
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2. The Superintendent of Police,
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Panchayat Union,
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7. The Special Officer,
Sernthamaram Panchayat,
Sankarankovil Taluk,
Tirunelveli District.

+ 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 71072
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 71645

TSG/SKM

TE/GT/SAR-I : 21/11/2017 : 3P/10C

Order made in
W.P (MD) No.4878 of 2017
Dated: 07.08.2017