



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI
W.P(MD)No.10063 of 2019

S.Sidtharthan

... Petitioner

Vs.

1.The Commissioner,
Kadayanallur Municipality,
Kadayanallur,
Tirunelveli District.

2.The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to ensure free flow of traffic for the passerby from 7.00 a.m. to 11.00 a.m. and 4.00 p.m. to 7.00 p.m. in Ward No.17 & 18 in and around Muppudathi Amman Temple Street, Kadayanallur Town, Tirunelveli District, by deploying adequate police personnel to monitor the situation daily, by considering petitioner's representation dated 08.04.2019, within the period as stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Haja Mohideen

For 1st Respondent : Mr.M.Rajarajan
Standing Counsel

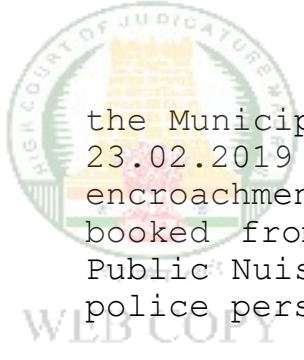
For 2nd Respondent : Mr.A.K.Baskara Pandian
Special Government Pleader

O R D E R

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)

The matter in issue pertains to ensuring of free flow of traffic for the public at Ward No.17 and 18 in and around Muppudathi Amman Temple Street, Kadayanallur Town, Tirunelveli District and a status report was directed to be filed as to the plea made by the petitioner.

2.The second respondent has filed a status report dated 17.06.2019, which would disclose among other things that a joint meeting was conducted and as per the decision taken in the meeting,



the Municipal Authorities had conducted eviction of encroachments on 23.02.2019 with adequate police protection and large number of encroachments have been removed and more than 20 petty cases were booked from 23.02.2019 and that apart action is also taken under Public Nuisance Act. Status report would further state that adequate police personnel are deployed to ensure free flow of traffic.

3.The learned counsel appearing for the petitioner, though admitted that the encroachments have been removed, has expressed apprehension that there is possibility of re/fresh encroachments at the same place once the police withdraw the beat or patrol.

4.Per contra, Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the second respondent would submit that police beat or patrol would be placed for ensuring free flow of traffic.

5.The learned Standing Counsel for the first respondent by drawing the attention of the status-report filed by the first respondent assured that there will not be any re-encroachments or fresh encroachments in respect of the place in which the encroachments have been removed.

6.In the light of the above, no further orders are necessary in this Writ Petition. Therefore, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur, Tirunelveli.

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate SR-69114.

+1 CC to SPL GP SR-69463.

+1 CC to M/s.M.RAJARAJAN, Advocate SR-69660.

W.P(MD)No.10063 of 2019
17.06.2019

CS: (28/06/2019) 2P 5C