



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD).No.14918 of 2015

P.Puhazh Gandhi

.. Petitioner

Vs.

1.The District Collector,
Kanniyakumari District,
Nagercoil.

2.The Superintendent of Police,
Kanniyakumari District,
Nagercoil.

3.The District Revenue Officer,
Kanniyakumari District,
Nagercoil.

4.The Revenue Divisional Officer,
Padmanabhapuram,
Kanniyakumari District.

5.The Municipal Commissioner,
Padmanabhapuram,
Kanniyakumari District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Mandamus, to direct the respondents to initiate action and consider the Petitioner's representation, dated 16.05.2013 and follow up remainder, dated 26.05.2015 and further direct the respondents to enforce No Parking and to remove the illegally parked vehicles in Raman Parambu, Thuckalay and initiate action against those offenders.

For Petitioner: Mr.C.R.Gandhi

For Respondent: Mr.C.Ramar, for R1 to R4
Additional Government Pleader
Mr.D.Muruganandam for R5

ORDER

This writ petition is filed for issuance of writ of Mandamus, directing the respondents to initiate action by considering the petitioner's representation, dated 16.05.2013 and reminder dated 26.05.2015.



2.The representation by the petitioner is regarding the unlawful parking and restriction of vehicle movement in the area known as Raman Parambu. It is stated that the street, namely Raman Parambu is a narrow street which starts from Exist point of Thackalay Bus Stand. It is stated that there are more than 500 residential houses in Raman Parambu and that the entire street is declared as No Parking Area by the police and a huge Board is kept by the police in the street. It is stated by the petitioner that several bike passengers are parking their two wheelers on the street and blocking the free vehicular movement. It is also stated that some of the bike passengers who are working in for away places are parking their motor bikes on the streets in the morning and take the vehicles only in the evening after returning from work. The petitioner has further stated that these road blocks due to unlawful parking causes huge problems to the residents including the petitioner.

3.Though a writ petition was earlier filed by the petitioner as public interest litigation, the same was dismissed by the Division Bench of this Court not on merits, but on the ground of maintainability and locus standi. Since the earlier writ petition was not decided on merits, this Court is inclined to entertain this writ petition as a writ petition considering petitioner's grievance as a person aggrieved.

4.The learned counsel appearing for the petitioner states that direction to the respondents to consider the representation of the petitioner will be sufficient for the present to redress the grievance of the petitioner.

5.Hence, writ petition is disposed of with the direction to the second respondent to consider the representation of the petitioner, dated 16.05.2013 and to take appropriate action on merits in accordance with law by passing appropriate orders after hearing the petitioner. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

TM

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



To

1.The District Collector, Kanniyakumari District, Nagercoil.

2.The Superintendent of Police, Kanniyakumari District, Nagercoil.

3.The District Revenue Officer, Kanniyakumari District, Nagercoil.

4.The Revenue Divisional Officer, Padmanabhapuram,
Kanniyakumari District.

+1 CC to M/s.C.R.GANDHI, Advocate (SR-104322[F] dated 11/12/2019)

W.P.(MD).No.14918 of 2015

10.12.2019

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