



WEB COPY

W.P(MD)No.23403 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.23403 of 2019

Jeyaram @ Jegastinraj

... Petitioner

Vs.

1.The District Collector,
Collectorate Building,
Kanyakumari District.

2.The Executive Officer,
Azhagiyapandiyapuram Town Panchayat,
at Kurathiparai,
Azhagiyapandiyapuram Post,
Kanyakumari District.

3.The Assistant Commissioner (Ayam)
Kanyakumari at Nagercoil.

4.Jerome Sarathraj

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from opening the Recreation Club and TASMACHOP Shop in Ayyerkalam, Thadikkarankonam & Post, Thovalai Taluk, Kanyakumari District.

For Petitioner	: Mr.S.Krishnan
For R-1& R-3	: Mr.A.Muthukaruppan, Additional Government Pleader
For R-2	: Mr.D.Muruganandham, Additional Government Pleader
For R-4	: Mr.G.Vairam Santhosh

ORDER

[Order of this Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.S.Krishnan, learned counsel for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader for the respondents 1 and 3, Mr.D.Muruganandham, learned Additional Government Pleader for the second respondent and Mr.G.Vairam Santhosh, learned counsel for the fourth respondent.



2. The petitioner has filed this writ petition designed as a Public Interest Litigation to forbear the respondents from opening a Recreation Club and TASMAT Shop in Ayererkalam, Thadikkarankonam & Post, Thovalai Taluk, Kanyakumari District.

3. The learned counsel for the fourth respondent, who has been granted licence to open the Recreation Club, has questioned the bonafide of the present writ petition stating that the petitioner has criminal antecedents and affiliated to a political party and he has also engaged in extortion of money from the people, who is opening new business. Further, it is submitted that the petitioner has posted a message in his Face Book account standing before the High Court building stating that he is going to file a 'Public Interest Litigation'. Merely because a person filed a Public Interest Litigation, the Court is not expected to entertain the same and issue directions. Further, before any licence is issued to open a Recreation Club, the authority will consider as to whether the applicant had complied with all the conditions. Therefore, based on the averments set out in the affidavit filed in support of this writ petition, we cannot entertain the prayer sought for by the petitioner.

4. In the result, the writ petition fails and is dismissed.
No Costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

pm

To

1. The District Collector,
Collectorate Building, Kanyakumari District.
2. The Executive Officer,
Azhagiyapandiyapuram Town Panchayat,
at Kurathiparai, Azhagiyapandiyapuram Post,
Kanyakumari District.
3. The Assistant Commissioner (Ayam),
Kanyakumari at Nagercoil.

+1 CC to SPL GP SR-96697.

ORDER MADE IN
W.P (MD) No.23403 of 2019
06.11.2019

CS(19.11.2019) 2P 5C

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