

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.34158 of 2019
and
W.M.P.No.34776 of 2019

K.Jayaseelan

.. Petitioner

Vs

1. The District Collector,
Krishnagiri.
2. The Superintendent of Police,
Krishnagiri.
3. The Project Director,
Krishnagiri National Highways
authority of India,
Door No. 259/1, Salem Main Road,
KAKC Petrol Bunk,
Krishnagiri.
4. The Deputy Superintendent of Police,
Krishnagiri District.
5. The Tahsildar,
Krishnagiri, Krishnagiri District.
6. The Inspector of Police,
Taluk Police Station, Krishnagiri.

7. G.Selvam

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India, praying for writ of Mandamus, directing the respondents 4 to 6 not to interfere with the peaceful occupation of the petitioner.

For Petitioner : Mr.R.Dhinesh Kumar

For Respondents : Mr.M.Mohamed Riyaz
(For R1,R2 to R6) Addl. Public Prosecutor

(For R7) : Mr.R.Marudhachalamurthy

O R D E R

This petition has been filed seeking for writ of Mandamus, directing the respondents 4 to 6 not to interfere with the peaceful occupation of the petitioner.

2. The petitioner has filed this writ petition on behalf of the Association and it is stated that they formed an association in the name and style of Krishnagiri District Tourist Maxi Cab-Van Owners and Drivers Welfare Association and they are running their business peacefully, without causing any hindrance to the general public near the Government hospital, Krishnagiri. About 10 years ago, the petitioner's association was called for to the meeting headed by the District Collector and the Superintendent, Krishnagiri to relocate the business. After due deliberations, the present place near highways was notified to the association and the same was accepted by the association members. In this regard on 16.10.2019 the petitioner's association made a representation to the National High ways authority about the illegal attempt of eviction.

3. Heard Mr.R.Dhinesh Kumar, learned Counsel appearing for the petitioner, Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents 1 to 7 and Mr.R.Marudhachala-murthy, learned counsel appearing for the respondent 8.

4. Under these circumstances, now the petitioner has come forward this petition for direction directing the respondents 4 to 6 not to interfere with the peaceful occupation of the petitioner. The petitioner filed this petition on his personal capacity and in the averments of the affidavit, he has stated that he represents on behalf of the Association. Further they are running business abutting national highways road and as such they are apprehend legal action from the concerned authorities. Therefore the direction sought for in this petition cannot be considered.

5. In view of the above, this Writ Petition is dismissed. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

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Krishnagiri.
3. The Project Director,
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Krishnagiri District.
5. The Tahsildar,
Krishnagiri, Krishnagiri District.
6. The Inspector of Police,
Taluk Police Station, Krishnagiri.
7. The Public Prosecutor, High Court, Madras.

+1cc to Mr.SU.Srinivasan, Advocate, S.R.No.19550

+1cc to Mr.Marudhachalamurthy, Advocate, S.R.No.19696

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SSV(CO)
KKV12/06/2020