



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD) No.4899 of 2020

G.Rajasekaran

..Petitioner

Vs.

1. The District Collector,
Kanyakumari District.

2. The Commissioner,
Nagercoil Corporation,
Nagercoil, Kanyakumari District.

3. The District Superintendent of Police,
Kanyakumari District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue **Writ of Mandamus**, to direct the 1st and 2nd respondents herein to take appropriate steps to restraining the unauthorized persons from collecting the illegal money from the public without giving receipt and further directing that to provide basic amenities of drinking water, car parking and toilet facilities to the public at free of cost in the shopping complex belongs to 2nd respondent herein situate at Gangamoolaram, Vadaseri, Nagercoil, Kanyakumari district and consider and pass final orders on the representation of the petitioner, dated 06.02.2020.

For Petitioner : Mr.S.Ramasamy

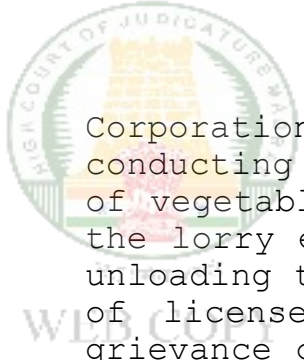
For R-1 & R-3 : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

For R-2 : Mr.P. Athimolla Pandian,
Standing Counsel

ORDER

The Writ Petition is filed seeking direction to the 1st and 2nd respondents to take appropriate steps restraining unauthorized persons from collecting illegal money from the public without giving receipt and for a further direction to provide basic amenities of drinking water, car parking and toilet facilities to the public at free of cost in the shopping complex belonging to 2nd respondent situated at Gangamoolaram, Vadaseri, Nagercoil, Kanyakumari district and to consider and pass final orders on the representation of the petitioner, dated 06/02/2020.

2. The petitioner is running a shop in the Shopping Complex belonging to the second respondent/ Commissioner, Nagercoil



Corporation, Nagercoil, Kanyakumari District. The petitioner is conducting the business of wholesale vegetable market. For supply of vegetables the petitioner is dependent on lorry service and when the lorry enters into the complex and exists from the complex after unloading the vehicle will have to pay license fee. For collection of license fee a separate contractor has been appointed. The grievance of the petitioner is that the petitioner is having a shop and his lorries are very frequently entering and exiting the complex and for his lorries also, fees are also being collected.

3. This Court cannot enter into a discussion on collection of license fee for any vehicle entering into the complex. The petitioner will have to pay necessary license fee. The petitioner has sent a representation, dated 06.02.2020 to the respondents seeking restraint from collecting illegal money by unauthorised persons and also seeking various amenities including water facilities, parking and other facilities. These aspects are beyond the purview of this Court.

4. The learned Standing counsel appearing for the second respondent states that he would pass an order on the representation, dated 06.02.2020.

5. The second respondent is directed to consider the petitioner's representation, dated 06.02.2020 after issuing notice to the concerned contractor and other parties and then the second respondent shall pass an order on or before 13.04.2020.

6. With the above directions, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

1. The District Collector, Kanyakumari District.
2. The Commissioner, Nagercoil Corporation,
Nagercoil, Kanyakumari District.
3. The District Superintendent of Police,
Kanyakumari District.

+1cc to The Special Government Pleader Sr.No.11070