



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.25403 of 2019

and

W.M.P(MD) .No.21962 of 2019

M/s.Sivam Agencies,
through its Proprietor,
P.Jeya Manohar
S/o.Ponnaiya Nadar,
6/66E, Nachiar Kudieruppu,
Kanyakumari-629 702.

... Petitioner

Vs.

- 1.The Regional Manager,
Tamil Nadu Tourism
Development Corporation Ltd.,
Hotel Tamil Nadu,
Madurai-1.
- 2.The Executive Officer,
Special Grade Town Panchayat,
Kanyakumari.
- 3.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to remove the barrigate from Police Station circle in front of Rajiv Gandhi statue towards south, south next to the TTDC Car Parking area in the above North South beach road in Survey No.678/46 to extent of 66.06 cents of land, Kanyakumari Village, Agastheeswaram Taluk, Kanyakumari District.

For Petitioner	: Mr.KA.Raamakrishnan
For R1	: Mr.Lakshmanan
For R2	: Mr.Aaiyram K Selvakumar
For R3	: Mrs.J.Padmavathi Devi Special Government Pleader



ORDER

Heard Mr.KA.Raamakrishnan, learned counsel appearing for the petitioner, Mr.Lakshmanan, learned counsel appearing for the first respondent, Mr.Aaiyram K Selvakumar, learned counsel appearing for the second respondent and Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the third respondent.

2.This writ petition is filed for issuance of a writ of Mandamus, directing the respondents 2 and 3 to remove the barricade from Police Station circle, in front of Rajiv Gandhi statue towards south, south next to the TTDC Car Parking area in the North South beach road in Survey No.678/46.

3.According to the petitioner, he is the highest bidder for operation and maintenance of car parking, which is situated near Tourism Office, Kanyakumari, for a period of three years. The vehicle of the pilgrims, who come to Kanyakumari, in order to reach the Temple, enter into Kanyakumari Beach Road from north and come to the Police Station circle in front of Rajiv Gandhi statue towards south in the above road and next to the above circle, the said car parking is located and the vehicle entering through the above way are parked in the above car parking area. Further, it is stated that the respondents 2 and 3 have placed the barricade prohibiting the entry of the vehicles next to the TTDC car parking area, for controlling the traffic.

4.According to the petitioner, if the vehicles are not allowed in the car parking area, there will be traffic congestion and result in confusion in parking the vehicles in a haphazard manner. Placing barricades, put a lot of inconvenience to the petitioner, who was the highest bidder of parking area for a period of three years. Hence, the petitioner has filed the present writ petition.

5.Upon notice, the learned Special Government Pleader appearing for the third respondent submitted that the barricades have been removed, as sought for and the learned counsel appearing for the petitioner had also acknowledged the same.

6.Recording the submission of the learned Special Government Pleader appearing for the third respondent, this writ petition is disposed of. No costs. The respondents are also advised not to place



them back disturbing the petitioner's rights. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

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/ /2020

Sub Assistant Registrar(CS)

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To:

- 1.The Regional Manager,
Tamil Nadu Tourism
Development Corporation Ltd.,
Hotel Tamil Nadu,
Madurai-1.
- 2.The Executive Officer,
Special Grade Town Panchayat,
Kanyakumari.
- 3.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-606[F] dated 07/01/2020

+1 CC to M/s.C.LAKSHMANAN, Advocate (SR-900[F] dated 08/01/2020)

W.P (MD) No.25403 of 2019

06.01.2020

JMN(05.02.2020) 3P : 6C