



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.5775 of 2020

Atal Bihari Vajpayee Auto Ootunargal
Matrum Urimaiyalargal Sangam,
Kanchanayakkanpatti, Represented by its
President, K.Selvakumar,
S/o.Krishnamoorthy,
2/21, North Street, Kanchanayakkanpatti Village,
Aruppukottai Taluk, Virudhunagar District.

...Petitioner

/Vs./

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The Superintendent of Police,
District Police Office, Collectorate,
Virudhunagar District.

3.The President of Village,
Kanchanayakkanpatti Second Grade Panchayat,
Kanchanayakkanpatti Village, Aruppukkottai Taluk,
Virudhunagar District.

4.The Inspector of Police,
Aruppukkottai Taluk, Virudhunagar District.

5.Muthuramalingam ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to consider the representations of the petitioner dated 04.02.2020 and 16.03.2020 and consequently, directing the respondents 2 and 3 to provide adequate police protection to the petitioner's Sangam namely, Atal Bihari Vajpayee Auto Ootunargal Matrum Urimaiyalargal Sangam.

For Petitioner	: Mr.C.M.Arumugam
For R1,2 and R4	: Mr.A.Thiruvadikumar
	Additional Public Prosecutor
For R3 and R5	: No Appearance



ORDER

This Writ Petition is filed seeking for a direction to consider the representations of the petitioner and give police protection also.

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2.It is the contention of the learned counsel appearing for the petitioner that originally they were members of auto stand named as Dr.Abdul Kalam Owners and Drivers Association. As there were some differences of opinion among the members of the said association, the petitioner opened new Sangam named as Atal Bihari Vajpayee Auto Ootunargal Matrum Urimaiyalargal Sangam. It is their contention that they sought permission to have a auto stand in the land belonging to the third respondent. Therefore, the representations given by them in this regard have to be considered.

3.Whereas, the learned Additional Public Prosecutor appearing for the State would submit that originally, the members of the petitioner Sangam were the members of Dr.Abdul Kalam Owners and Drivers Association. Thereafter, they opened a new auto stand and started to park their autos in front of the house of an individual, who has lodged a complaint, which is registered in C.S.R.No.218 of 2020.

4.At the outset, this Court is of the view that it is for the Superintendent of Police to take a decision as to whether to permit the petitioner to have auto stand without affecting law and order in the area or not. As a matter of right, no one can claim particular area to earmark for their convenience. However, as the petitioner has already given representations dated 04.02.2020 and 16.03.2020, the respondents 1 and 2 are directed to consider the same and pass appropriate orders, taking into consideration of law and order problem and communal unrest etc.

5.With the above direction, this Writ Petition stands dismissed. No costs.

Sd/-

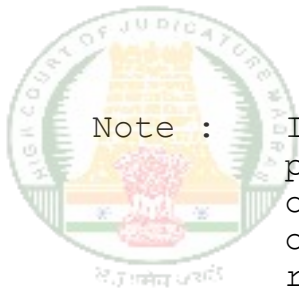
Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

Myr



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

- 1.The District Collector,
Virudhunagar District, Virudhunagar.
- 2.The Superintendent of Police,
District Police Office, Collectorate,
Virudhunagar District.
- 3.The Inspector of Police,
Aruppukkottai Taluk, Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-6605[F] dated 16/02/2022)

W.P. (MD)No.5775 of 2020

15.02.2022

MGJ(08.03.2022) 3P 6C