



WEB COPY



W.P.No. 17524 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE P. DHANABAL**

W.P.No. 17524 of 2023

T.Vembu

..Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Mayiladuthurai District,
Mayiladuthurai-609001

2.The Assistant District of Town Panchayats,
Thanjavur Zone,
Pangal Building,
Thanjavur District.

3.The Thasildar,
Tharangambadi,
Mayiladuthurai District.

4.The Executive Officer,
Tharangambadi Municipality(Selection Grade)
Poraiyr,
Tharangambadi, Mayiladuthurai District -609307

5. T.Thamizharasan

..Respondents

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Prayer: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 4 to consider and dispose of the representation dated 25.03.2023 submitted to the 3rd respondent on merits and in accordance with law.

For Petitioner : Mr.N.Kannan

For Respondents : Mr. E.Vijay Anand, AGP -R1 to R3
Mr.M.Rajendran, AGP - R4
Mr. M.Vignesh -R5 (Vakalath returned)

O R D E R

(Order of the Court was made by D.KRISHNAKUMAR, J.

The prayer in the writ petition is for a direction to the respondents 1 to 4 to consider and dispose of the petitioner's representation dated 25.03.2023 submitted to the 3rd respondent, on merits and in accordance with law.

2. The learned counsel for the petitioner has submitted that the petitioner is running an ice plant in the name of M/s.Antony Ice Plant, which is situated in S.No. 315/B1, Poraiyar Village, Tharangambadi Taluk, Mayiladuthurai District. The total extent of the property is Acre 0.48 Cents. Out of which, ice plant building was constructed only at an extent of 5 cents of land.



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3. The learned counsel for the petitioner has further submitted that the

5th respondent has filed a writ petition in W.P.No. 1146 of 2023 before this Court for lock and sealing of the petitioner's Ice plant building and the same was disposed of by this Court, giving directions to the respondents officials to inspect and remove the unauthorised construction if any found in the petitioner's building. Pursuant to the above order of this Court, on 07.03.2023, the 4th respondent /Municipality has served notice on the petitioner for lock and seal the petitioner's building.

4. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 25.03.2023 to the Tahsildar/3rd respondent seeking permission to park vehicles in S.No. 315/1B1. The said representation is still pending on the file of the respondents, hence the present writ petition.

5. The learned Additional Government Pleader appearing for the 3rd respondent/Municipality has submitted that the said representation of the petitioner will be considered by the authorities concerned and appropriate



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orders will be passed in accordance with law.

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6. After considering the facts and circumstances of the case and taking into account the submissions made by the learned counsels appearing for the parties concerned, We refrain from delving into the merits of the case. However, We are inclined to issue directions to the 2nd respondent to consider the petitioner's representation dated 25.03.2023, specifically requesting permission for parking vehicles in the open space of the disputed land and pass appropriate orders, on its own merits and in accordance with law, after giving opportunities to all the interested parties, within a period of twelve weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition stands disposed of. No costs .

(D.K.K., J.) (P.D.B., J.)

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Index: Yes / No

Internet: Yes

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