



W.P.(MD)No.18428 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.18428 of 2022

and

W.M.P(MD).Nos.13434, 13436 and 13437 of 2022

V.David Vedharaj

... Petitioner

Vs.

1. The Executive Magistrate cum Revenue Divisional Officer,
Sathankulam,
Thoothukudi District.

2. The Deputy Superintendent of Police,
Sathankulam Sub-Division,
Thoothukudi District.

3. The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.

4. S. John Santhirasekar

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order passed by the first respondent vide her proceedings in Na.Ka.No.A6/125/2021 dated 26.10.2021 and quash the same and consequently, direct the first respondent to maintain the name of the bus shelter situated in their village as “Polaiyarpuram bust Stop”.

For Petitioner	: Mr.R.Anand
For R1 to R3	: Mr.P.Nambiselvan Additional Public Prosecutor

ORDER

This Writ Petition has been filed challenging the impugned order passed by the first respondent dated 26.10.2021, in and by which, the name of the bus shelter was changed as Sasthavinallur bus stop, quash the same and for a consequential direction to the first respondent to maintain the name of the bus shelter situated in the Village as Polaiyarpuram Bus Stop.



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2. The learned counsel appearing for the petitioner submits that there was a law and order problem between the petitioner's village and the fourth respondent's village, with regard to naming of the bus shelter situated at Polaiyarpurm Village, Sasthavinalloor Village (Revenue) & Panchayat, Sathankulam Taluk, Thoothukudi District, for which, one George Mani has filed a writ petition in W.P(MD).No.18908 of 2020 before this Court and this Court, vide order dated 21.12.2020, directed the Tahsildar, Sathankulam Taluk, Thoothukudi District, to convene Peace Committee Meeting with the villagers on 18.01.2021, pursuant to which, the Peace Committee Meeting was conducted between the petitioner's group and the other groups and they adjudicated the issue. While so, the first respondent, vide impugned order dated 26.10.2021, has changed the name of the bus shelter as Sasthavinallur bus stop. Aggrieved by the same, this Writ Petition has been filed.

3. The learned counsel appearing for the petitioner submits that the petitioner belongs to Polaiyarpuram Village and there was a law and order problem with regard to naming of the bus shelter between the two



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groups, however, the first respondent has mechanically passed the impugned order changing the name of bus shelter as Sasthavinallur bus stop, which is not sustainable one. He would further submit that the subject matter is now pending before the learned District Munsif, Sathankulam in O.S.No.92 of 2021.

4. It appears that there was a dispute between the parties with regard to naming of the bus shelter situated at Polaiyarpurm Village, Sasthavinallur Village (Revenue) & Panchayat, Sathankulam Taluk, Thoothukudi District. In this regard, a suit in O.S.No.92 of 2021 has been filed before the learned District Munsif, Sathankulam. When the suit is pending for adjudication, the petitioner has to canvass all the points before the trial Court, instead, he has approached this Court by way of this writ petition. This Court, under Article 226 of the Constitution of India, cannot adjudicate all these facts narrated by the petitioner in this Writ Petition. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.



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5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

09.02.2024

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To:

1. The Executive Magistrate Cum Revenue Divisional Officer,
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Thoothukudi District.
2. The Deputy Superintendent of Police,
Sathankulam Sub-Division,
Thoothukudi District.
3. The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J.

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