



W.P.(MD)No.18753 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.18753 of 2024

B.Santhakumar

... Petitioner

Vs.

- 1.The District Collector,
Trichy District.
- 2.The Assistant Director,
Town Panchayats, Trichy District.
- 3.The Thasildar,
Srirangam Taluk, Trichy District.
- 4.The Block Development Officer,
Andhanallur Panchayat Union,
Jeeyapuram, Trichy District.
- 5.The Inspector of Police,
Jeeyapuram Police Station, Trichy District.
- 6.The Assistant Engineer,
Public Works Department, Mukkombu,
Trichy District.
- 7.The President,
Perugamani Village Panchayat, Trichy District.



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8. The President,
Pettavaithalai Village Panchayat,
Trichy District.

9.S.Sanmugam

10.R.Palaniammal

11.Rajasounthara

12.R.Selvam

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 8 to take appropriate actions against the respondents 9 to 12 for running the unlicensed/unauthorized parking stands within the limits of Perugamani and Pettavaithalai village panchayats, Srirangam Taluk, Trichy District by considering the petitioner's representation dated 20.07.2024 within time frame fixed by this Court.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.D.Gandhiraj,
Spl. Govt. Pleader for R1 to R3 &
R6 to R8

Mr.P.Subbaraj,
Spl. Govt. Pleader for R4

Mr.M.Vaikam Karunanithi,
Govt. Advocate (Crl. Side)



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ORDER

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This Writ Petition has been filed seeking direction to the respondents 1 to 8 to take appropriate actions against the respondents 9 to 12 for running the unlicensed/unauthorized parking stands within the limits of Perugamani and Pettavaithalai Village panchayats, Srirangam Taluk, Trichy District, by considering the petitioner's representation dated 20.07.2024, within time frame fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader and the learned Government Advocate (Crl. Side), who takes notice for the respondents 1 to 8. Since no adverse order is going to be passed against the respondents 9 to 12, notice to the respondents 9 to 12 is dispensed with. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that the private respondents 9 to 12 were running a private parking stands, without obtaining any license from the local authority. According to the petitioner, the same is not permissible under law.



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Hence, in this regard, the petitioner has given a representation dated 20.07.2024, to the authorities to take action against the respondents 9 to 12. Since, no action has been taken, the petitioner has filed this Writ Petition.

4. As per Section 155 of the Tamil Nadu Panchayats Act, 1994, no person shall open a new private cart-stand or continue to keep open a private cart-stand unless he obtains from the Village Panchayat a licence to do so. Such licence shall be renewed every year. Therefore, without obtaining necessary permission, a person cannot unilaterally open such a parking stands. Hence, the respondents 1 to 8 are directed to consider the representation of the petitioner dated 20.07.2024 and pass orders on its own merits and in accordance with law, after hearing respondents 9 to 12 within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

05.08.2024

NCC : Yes/No
Index : Yes/No
vsm



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N.SATHISH KUMAR, J.

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