



W.P.(MD)No.19767 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.11.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.19767 of 2024

S.John Clinton

... Petitioner

/Vs./

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Theni,
Theni District.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Uttamapalayam,
Theni District.

3.The Commissioner,
Cumbum Municipality,
Cumbum 625 516,
Theni District.

4.The Inspector of Police,
Cumbum South Police Station,
Cumbum 625 516,
Theni District.

5.M.Ganapathi

6.V.Rajendran

... Respondents



W.P.(MD)No.19767 of 2024

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to take action against the respondents 5 and 6 and permit the petitioner to park the vehicle on Pennycuick Memorial Car Rental, Van Drivers and owners association situated at VOC Thidal Cumbum Town, Theni District on the basis of the petitioner's representation dated 23.07.2024 within a time frame as fixed by this Court.

For Petitioner : Mr.K.Neelamegam

For Respondents : Mr.D.Gandhiraj (R2)

Special Government Pleader

Ms.M.Aasha (R1 & R4)

Ms.Hema Karthikeyan (R3)

Mr.J.Thomas Rajadurai (R5)

ORDER

This writ petition has been filed to direct the respondents 2 to 4 to take action against the respondents 5 and 6 for not permitting the petitioner to park the vehicle in Pennycuick Memorial Car Rental, Van Drivers and Owners Association situated at VOC Thidal Cumbum Town, Theni District.



W.P.(MD)No.19767 of 2024

WEB COPY

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner is a member of Pennycuick Memorial Car Rental, Van Drivers and Owners Association situated at VOC Thidal Cumbum Town, Theni District, which is administered by the President and the Treasurer, who is the fifth and sixth respondents herein respectively. There is a dispute between the petitioner and the respondents 5 and 6 and hence, the respondents 5 and 6 are not permitting to park the petitioner's vehicle.

4. The aforesaid association belongs to the third respondent and it is leased out in favour of the respondents 5 and 6. However, the respondents 5 and 6 are not permitting the petitioner to park his vehicle in the aforesaid place, since there is a dispute between the petitioner and the respondents 5 and 6.

5. The official respondents need not interfere with the dispute between the petitioner and the respondents 5 and 6 and they cannot take



W.P.(MD)No.19767 of 2024

any action as against them, since it is a civil dispute. If at all any grievance over the association and its by-laws, the petitioner ought to have approached the Civil Court for appropriate relief. Hence, the representation submitted by the petitioner cannot be considered and this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to approach the civil Court for appropriate relief. No costs.

06.11.2024

Index : Yes / No
NCC : Yes / No
Sm



W.P.(MD)No.19767 of 2024

WEB COPY

TO:-

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Theni,
Theni District.
- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Uttamapalayam,
Theni District.
- 3.The Inspector of Police,
Cumbum South Police Station,
Cumbum 625 516,
Theni District.



WEB COPY



W.P.(MD)No.19767 of 2024

G.K.ILANTHIRAIYAN, J.

Sm

Order made in
W.P.(MD)No.19767 of 2024

Dated:
06.11.2024