



W.P (MD).No.27378 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM

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

W.P (MD).No.27378 of 2024

Thendral Auto Driver and Owners Association,
Rep. by its President,
Murugasakthi,
Ervadi Dargha,
Ramanathapuram District.

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram,
Ramanathapuram District.
- 2.The Regional Transport Officer,
Ramanathapuram,
Ramanathapuram District.
- 3.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 4.The Deputy Superintendent of Police,
Keelakarai Sub-Civision,
Ramanathapuram District.
- 5.The Tahsildar,
Keelakarai Taluk,
Ramanathapuram District.
- 6.Shanmugavel



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7.Maideen Basha
8.Syed Sadik
9.Mohammed Ameer
10.T.Namburajan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to take action against the respondents 6 to 10 and to prevent them to park their auto rickshaws in front of Ervadi Dargha as their auto stand and remove their auto rickshaw stand which is in operation without any permission from the authorities as required under Section 117 of Motor Vehicle Act, based on the petitioner's representation, dated 24.10.2024.

For Petitioner	: Mr.K.Muthuvai Ilayaraja
For R1. R2 & R5	: Mr.M.Senthil Ayyanar Government Advocate
For R3 & R4	: Mrs.M.Aasha Government Advocate (Crl.side)

ORDER

This writ petition has been filed to direct the respondents 1 to 5 to take appropriate action against the respondents 6 to 10 and to prevent them to park their auto rickshaws in front of the petitioner's auto stand.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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

4. It is seen that the petitioner is also an Association consisting auto drivers as members in the name and style of "Thendral Auto Driver and Owners Association". The respondents 6 to 10 are the rival groups of the petitioner's association and they are park their vehicles in front of the petitioner's association. Therefore, there is a dispute between them. This dispute between them is civil in nature, as such, no action has been taken in the petition submitted by the petitioner as against the respondents 6 to 10.

5. The learned Government Advocate (Crl.side) appearing for the respondents 3 & 4 would submit that no one is parking their autos in front of the petitioner's auto stand.

6. In view of the above, the petitioner is at liberty to approach the Civil Court for getting appropriate orders. If any law and order problem arise with regard to this issue, the petitioner and the respondents 6 to 10 are at liberty to lodge a complaint before the concerned jurisdictional police station. On receipt of the same, the concerned jurisdictional police shall take appropriate action as against the illegality committed by them.



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

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN, J.

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