



W.P(MD)No.31213 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.31213 of 2023

Paraman
S/o Karungkannan,
President,
Anantha Nagar Thiruvettai Iyyanar Auto
Drivers Welfare Association,
Residing at Door No.15-5/14,
Muthunagar, Nagar, Anaiyur,
Madurai City.

... Petitioner

-Vs-

- 1.The District Collector,
O/o District Collector,
Madurai.
- 2.The Commissioner,
O/o The Commissioner,
Anna Maligai,
Madurai.
- 3.The Commissioner of Police,
O/o The Commissioner of Police,
Madurai.



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4.The Assistant Commissioner,
O/o The Assistant Commissioner,
Anna Maligai,
Madurai.

5.The Divisional Engineer,
O/o The Divisional Engineer,
Thamaraithotti,
Madurai.

6.The Inspector of Police,
O/o The Inspector of Police,
Koodal Pudur Police Station,
Madurai.

... 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 to consider the petitioner's representation dated 30.10.2023 within the time that may be stipulated by this Court.

For Petitioner : Mr.J.Peer Mohammed

For Respondents : Mr.D.Gandhi Raj
Special Public Prosecutor (for R1)

Mrs.S.Devasena
Standing Counsel (for R2 & R4)

Ms.M.Aasha
Govt. Advocate (crl. side) (for R3 & R6)



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ORDER

The writ petition is filed seeking for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 30.10.2023 within the stipulated time.

2. Mr.D.Gandhi Raj, learned Special Government Pleader takes notice for the first respondent. Mrs.S.Devasena, learned Standing Counsel takes notice for the respondents 2 and 4. Ms.M.Asha, learned Government Advocate (criminal side) takes notice for the respondents 3 and 6. Considering the nature of the order proposed to be passed, protecting the interest of the fifth respondent also, notice to the fifth respondent is dispensed with. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the President of the Anantha Nagar Thiruvettai Iyyanar Auto Drivers Welfare Association. The said Association registered under Societies Registration Act and they are having more than 24 members.



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While so, on the inducement of the other auto drivers, who were not in the petitioner's Association, one R.Vijayalakshmi filed a writ petition in W.P(MD)No.7686 of 2021 before this Court seeking to remove the petitioner's auto stand by falsely showing the petitioner's association as Thiruvettai Iyyanar Auto Drivers and Owners Association and also showing the petitioner's association's address as Opposite to Mattuthavani Bus Stand, Mattuthavani, Madurai District and obtained an order on 09.04.2021. Without having auto stand, the members of the petitioner's Association could not part their vehicle. Hence, in this regard, on 30.10.2023, they submitted a detailed representation to the respondents to grant permission to the petitioner's Association to run their auto stand at Anantha Nagar, Anaiyur, Madurai City. Since the said representation is pending, the petitioner has filed the present writ petition seeking the above said relief.

4. Considering the limited scope of the prayer sought for in this writ petition, without going into the merits of the claim made by the petitioner in this Writ Petition, the respondents are directed to pass appropriate orders on the representation of the petitioner, dated 30.10.2023, on merits and in accordance with law, after giving notice to the interested parties, if any,



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within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of.

No costs.

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Index : Yes/No

Internet : Yes/No

skn

To

1.The District Collector,
O/o District Collector,
Madurai.

2.The Commissioner,
O/o The Commissioner,
Anna Maligai,
Madurai.

3.The Commissioner of Police,
O/o The Commissioner of Police,
Madurai.

4.The Assistant Commissioner,
O/o The Assistant Commissioner,
Anna Maligai,
Madurai.

5.The Divisional Engineer,
O/o The Divisional Engineer,
Thamaraitthotti,
Madurai.



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6. The Inspector of Police,
O/o The Inspector of Police,
Koodal Pudur Police Station,
Madurai.
7. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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V.BHAVANI SUBBAROYAN, J.

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