



W.P.(MD) No.5338 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.5338 of 2025

Suresh

... Petitioner

Vs.

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Inspector of Police,
Nithiravilai Police Station,
Nithiravilai,
Kanyakumari District.

3. The Inspector of Police,
Kaliyakkavilai Police Station,
Kaliyakkavilai,
Kanyakumari District.

4. The Inspector of Police,
Kollemcode Police Station,
Kollemcode,
Kanyakumari District.

5. The Inspector of Police,
Pudhukadai Police Station,
Pudhukadai,
Kanyakumari District.

... Respondents



W.P.(MD) No.5338 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct the respondents 1 to 5 to permit the petitioner to transport and carry the debris arising the construction sites throughout the Kanyakumari District without any unreasonable restrictions by considering his representation dated 17.12.2024.

For Petitioner : Mr.R.Sreenivasan

For Respondents : Mr.R.M.Anbunmithi

Additional Public Prosecutor (Crl. Side)

ORDER

This writ petition has been filed by the petitioner to direct the 1 to 5th respondents to permit the petitioner to transport and carry the debris arising from the construction cites throughout the Kanyakumari District, without any unreasonable restrictions by considering his representation dated 17.12.2024.

2. According to the petitioner, he is doing transport business and used to carry the debris arising from the construction cites throughout the Kanyakumar District, but the respondent police are very often restricted the petitioner from doing his business in the name of search and they have also used to kept the vehicle under their custody. Therefore, he has filed



W.P.(MD) No.5338 of 2025

this petition.

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3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents would submit that they have not kept the vehicle in their custody for a single day and during the vehicle check up, they made search in the petitioner's vehicle. Apart from that, they have not interfered with the petitioner's transport business. Only for breach of Rules by the petitioner, they have stopped the vehicle and made search. However, the representation of the petitioner is under consideration and they will complete the enquiry within one week.

4. The prayer of the petitioner is to direct the respondents to permit the petitioner to transport and carry debris arising from the construction sites. Therefore, the permission of the respondent is not required and at the same time, if any violations, then the respondents are at liberty to take appropriate steps in accordance with law. In view of the same and recording the above said submissions of the learned Additional Public Prosecutor, this Court directs the 4th respondent to dispose of the representation of the petitioner dated 17.12.2024 in accordance with law within one week from the date of this order..



W.P.(MD) No.5338 of 2025

WEB COPY 5. With the above said observations and direction, this Criminal

Original petition is disposed of. No costs.

27.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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W.P.(MD) No.5338 of 2025

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Nithiravilai,
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3. The Inspector of Police,
Kaliyakkavilai Police Station,
Kaliyakkavilai,
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4. The Inspector of Police,
Kollemcode Police Station,
Kollemcode,
Kanyakumari District.
5. The Inspector of Police,
Pudhukadai Police Station,
Pudhukadai,
Kanyakumari District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD) No.5338 of 2025

P.DHANABAL, J.

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W.P(MD)No.5338 of 2025

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