



W.P.(MD)No.7336 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7336 of 2025

and

W.M.P.(MD)Nos.5530, 5531 and 5533 of 2025

Joseph Ratnaraj

... Petitioner

-VS-

- 1.The District Collector,
Kanyakumari District Collectorate,
Nagercoil - 629001.
- 2.The Divisional Engineer,
National Highways,
5C-FV + JCC, Railway Feeder Road,
Kottar, Nagarcoil,
Kanyakumari - 629002.
- 3.The Assistant Commissioner of Labour (Enforcement),
The Inspecting Authority,
Legal Metrology Officer,
Government of Tamil Nadu,
Department of Labour (Weight and Measures),
15, Parvathavarthini Street,
Ramavarmapuram, Nagercoil,
Kanyakumari District.



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4.The Executive Officer,
Aralvaimozhi Town Panchayat,
Aralvaimozhi,
Kanniyakumari District.

5.Arunpadmanaban Inbaneela

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the fourth respondent vide his proceeding in ROC No.111/2025/A2, dated 05.03.2025 and quash the same as illegal and arbitrary.

For Petitioner	:	Mr.Henri Patrick Tiphange
For R1 and R3	:	Mr.C.Venkateshkumar Special Government Pleader
For R4	:	Mr.A.Baskaran Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to quash the impugned order passed by the fourth respondent, vide his proceeding in ROC No.111/2025/A2, dated 05.03.2025.



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

3. Since no adverse orders are going to be passed against the respondents 2 and 5, notice to the respondents 2 and 5 is hereby dispensed with.

4. The petitioner claims to be a Councillor of the Special Grade Town Panchayat at Aralvaimozhi. Initially, the applications made by the fifth respondent seeking permission to construct a weighbridge at Survey No.754, Aralvaimozhi, Thovala, Kanyakumari District, were rejected by the fourth respondent. However, on 01.03.2025, the fifth respondent submitted an online application requesting permission for the weighbridge, stating that a new building would be constructed. Based on the said application, permission was granted through the impugned proceedings on 05.03.2025. However, the impugned approval was issued without the mandatory field visit. The unauthorized weighbridge will cause a revenue loss to the Government exchequer. Hence, the present writ petition.

5. The learned Special Government Pleader appearing for the respondents 1



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and 3 submits that the petitioner has already represented his case before the first respondent, the District Collector, through objections/representation dated 07.03.2025. The learned Special Government Pleader further submits that the petitioner's objections/representation will be considered and appropriate orders will be passed on merits and in accordance with the law, within a time frame to be fixed by this Court.

6. Considering the above said submissions, this Writ Petition is disposed of, with a direction to the first respondent herein to consider the petitioner's objection / representation, dated 07.03.2025, on merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the fifth respondent and all other persons, who may be interested in the subject matter, within four weeks from the date of receipt of a copy of this order. In the interregnum, the respondents shall maintain *status quo* prevailing as on date. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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