



W.P.(MD)No.14647 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.10.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.14647 of 2025

and

W.M.P(MD)No.10868 of 2025

Sunder

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its The District Collector,
Kanyakumari District.

,2. The Regional Transport Officer
Marthandam,
Kanyakumari District.

3. The Executive Officer,
Valvachakostam Town Panchayat,
Kanyakumari District.

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

5. The President,
Valvachakostam Town Panchayat,
Kalkulam Taluk,
Kanyakumari District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the entire record pertaining to the impugned notice issued by the 3rd respondent in Na.Ka.No.412/2024/M1 dated 03.05.2025 and quash the same as illegal and consequently direct 1 to 3 respondent to grant permission to run the auto stand at Eravipudur, Palliyadi Salai, Thirupanticode Salai near Apollo Medicals which was functioning since 2005.

For Petitioner	: Mr.S.Jebastin
For R1 & R2	: Mrs.D.Farjana Ghoushia Special Government Pleader
For R3 and R5	: No Appearance
For R4	: Mr.S.Prakash Government Advocate (Crl.Side)

ORDER

This writ petition has been filed seeking to quash the impugned order dated 03.05.2025 and consequently, direct the respondents 1 to 3 to grant permission to run the auto stand at Eravipudur, Palliyadi Salai, Thirupanticode Salai near Apollo Medicals which was functioning since 2005.



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2. The facts as set out in the affidavit filed in support of the writ petition reads as follows:-

The petitioner would submit that he is the President of the Rajiv Gandhi Auto Drivers Union, Palliyadi, Kanyakumari District, which has been operating since 2005. He would submit that the said auto stand was registered under INTUC and there are more than 25 auto drivers attached to the said auto stand.

3. He would submit that every year election would be conducted and eligible candidates would be elected and appointed as an office bearers of the said auto stand. While so, the 4th respondent demanded the auto drivers of the Rajiv Gandhi Auto Drivers Union to vacate the 20 years old auto stand. Therefore, the petitioner and others had approached the Superintendent of Police, Kanyakumari District on 24.04.2025.



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4. He would further submit that based on the request made by them, the Superintendent of Police, Kanyakumari District had conducted an enquiry and further directed the 4th respondent to allow to run the auto stand.

5. Therefore, the petitioner and others had submitted a representation before the 3rd respondent on 24.04.2025, seeking to regularize the auto stand permission as it was running since 2005 without any hindrance to public. However, the same has not been considered.

6. In this connection, the 3rd respondent vide impugned order dated 05.05.2025 had rejected the representation submitted by the petitioner and others dated 24.04.2025. Challenging the same, the petitioner is before this Court.

7. Heard the learned counsel on either side.



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8. Considering the fact that the impugned order is a non-speaking order passed in violation of the principles of natural justice, the impugned order dated 05.05.2025 is set aside as the same is a non-speaking one line order.

9. Accordingly, the writ petition stands allowed and the matter is remitted back to the 3rd respondent, who shall consider the application afresh and thereafter pass final orders, after affording a reasonable opportunity to the petitioner. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

10. With these directions, the writ petition stands allowed. No costs.

23.10.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.T.ASHA, J.

rgm

To

1. The District Collector,
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