



W.P. (MD) No. 4110 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 4110 of 2023

Jayakumar

... Petitioner

Vs.

The District Manager,
Tamilnadu State Marketing Corporation (TASMAC),
C 104, SIPCOT Valagam,
Madurai Bye Pass Road,
Madathur,
Thoothukudi District.

... Respondent

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, to directing the Respondent herein to conduct the tender auction for locating the BAR attached to Shop No. 9964 at Polpattai West, Thoothukudi, on the basis of Petitioner's representation dated 17.02.2023 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr. C.Jeganathan

For Respondent : Mr. Sivanesan
Standing Counsel



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ORDER

Heard Mr. C.Jeganathan, Learned Counsel for the Petitioner, Mr. S.Sivanesan, Learned Standing Counsel, who takes notice for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner has sought for a direction to the Respondent to conduct the tender auction for locating the bar attached to TASMACH Shop No. 9964 at Polpettai West, Thoothukudi, as sought in his representation dated 17.02.2023 within a time limit that may be stipulated by the Court.

3. Learned Counsel for the Respondent has brought to notice that a Public Interest Litigation in W.P. (MD) No. 8644 of 2019 is pending before the Division Bench of the Court, in which a direction has been sought to remove the TASMACH Shop located at New Bus Stand, Thoothudi, and during the hearing on 10.04.2019 it was recorded that TASMACH has no proposal for opening any bar in that TASMACH shop. In view of that factual position, the claim of the Petitioner for conducting auction for any bar attached to the said shop cannot be accepted.



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In the result, the Writ Petition is dismissed. No costs.

28.02.2023

Index : Yes/No
Internet : Yes /No
SJ

Note : Issue copy of the order by 14.06.2023



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P.D. AUDIKESAVALU, J.

SJ

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