



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

W.P. (MD) No.14730 of 2015

WEB COPY

J.Uma Maheswari

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Plot No.100, Anna Nagar,
Madurai 625 020.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to vacate the TASMAC shop No.5231 situated in the petitioner's shopping complex bearing Door No.35/49, Aruppukkottai Main Road, Villapuram, Madurai City forthwith on the basis of the representation of the petitioner dated 23.03.2015.

For Petitioner : Mr.V.Thirumal

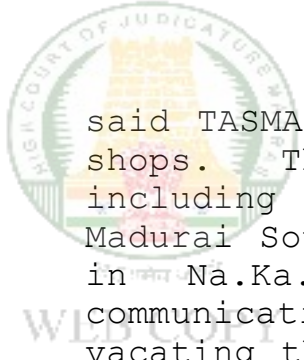
For Respondents : Mr.V.Muruganantham, AGP for R1
Mr.M.Muniyasamy for R2

ORDER

The Writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to vacate the TASMAC shop No.5231 situated at Aruppukkottai Main Road, Villapuram, Madurai City on the basis of the representation of the petitioner dated 23.03.2015.

2.Mr.Muruganantham, learned Additional Government Pleader took notice for the 1st respondent and Mr.M.Muniyasamy, learned standing counsel took notice for the 2nd respondent. By consent, the Writ petition itself is taken up for final disposal.

3.The case of the petitioner is that the petitioner is having a shopping complex at Door No.35/49, Aruppukkottai Main Road, Villapuram, Madurai City and in which Indian Bank, Muthoot Finance, Anganwadi shops and other private offices are functioning. Among them, a TASMAC shop No.5231 is also functioning and the same is functioning right from 29.08.2011. The petitioner has rented the said shop for one year ie., from 29.08.2011 to 28.08.2012. Now the lease period had expired. Hence, the petitioner has asked the 2nd respondent to vacate the



said TASMAC shop as the shop is causing disturbance to the other shops. The petitioner sent representations to the respondents including the Deputy Collector cum District Manager, TASMAC, Madurai South, who in turn sent a communication to the petitioner in Na.Ka.No.5331/2014/E, dated 17.03.2014 stating that a communication has been sent to the Managing Director, Chennai for vacating the said shop. Again on 23.03.2015, the petitioner sent another representation to the respondents. In response to the same, the District Manager, TASMAC, Madurai South has sent a communication to the petitioner dated 30.03.2015 in Na.Ka.No.141/15/E. However, till date no steps have been taken by the respondents for vacating the said TASMAC shop in the above said place. Therefore, the petitioner is constrained to file the present Writ petition.

4. In view of the above, the 2nd respondent is directed to consider the representation of the petitioner dated 23.03.2015 in the light of the communications dated 17.03.2014 and 30.03.2015 passed by the Deputy Collector cum District Manager, TASMAC, Madurai South and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

The Writ petition is disposed of accordingly. No costs.

sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registr

nbj

To

1. The District Collector,
Madurai District, Madurai.

2. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Plot No.100, Anna Nagar,
Madurai 625 020.

+one cc to Mr.V.Thirumal, Advocate in SR.No.46988

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CSL/NGM-SS/SAR(PA)/01.09.2015
2P/4C