

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.06.2016

Coram

The Hon'ble Mr. Justice T.S. Sivagnanam

Writ Petition No.8081 of 2014

C.Kavitha

...Petitioner

Vs.

1. The Managing Director,
TASMAC Ltd.,
CMDA Tower - II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai - 08.
 2. The General Manager (Retail Vending)
TASMAC Ltd.,
CMDA Tower - II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai - 08.
 3. The Senior Regional Manager,
TASMAC Ltd.,
56, Brindhavan Road,
Salem - 16.
 4. The District Manager,
TASMAC Ltd.,
Godown No.2, Compartment - 1,
Tamil Nadu Warehouse Corporation,
Bharathipuram, Collectorate Post,
Dharmapuri - 636 705.
 5. The District Collector,
Office of the District Collector,
Dharmapuri, Dharmapuri District.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to return back the two months security deposit amount of Rs.207200/- (Rupees Two Lakhs and seven thousand two hundred) with 9% interest.

For Petitioner :Mr.G.Mohammed Aseef

For Respondents
1 to 4 :Mr..B.Nedunchezian

O R D E R

The petitioner has filed this Writ Petition, praying for issuance of a Writ of Mandamus, directing the second respondent to return back the two months security deposit amount of Rs.2,07,200/- with 9% interest.

2. Heard Mr.G.Mohammed Aseef, the learned counsel appearing for the petitioner.

3. The petitioner, is an erstwhile licensee, and she has been granted license to sell eatables, snacks and collect empty bottles from the Bar attached to TASMAC retail vending shop. Since her husband met with an accident, she has to take care of him, and she also surrendered the license. Thereafter, license has been granted to some other person, and the period is also over. The petitioner sought for refund of the security deposit effected by her, as she did not enjoy the benefit of the license for the complete period.

4. It is seen that the fourth respondent is agreeable to consider the petitioner's representation, but he sought for permission from the third respondent, by a communication dated 28.09.2012. Thereafter, nothing has happened. Hence, the petitioner is before this Court.

5. Though the respondents have been served, no counter affidavit has been filed till date.

6. Considering the nature of relief sought for by the petitioner, in this Writ Petition, and facts of the case, there will be a direction to the third respondent to take into consideration the proceedings of the fourth respondent, in Na.Ka.No.869/2010/C.V.3, dated 28.09.2012 and pass appropriate orders on merits and in accordance with law, and communicate the same to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
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Dharmapuri - 636 705.
5. The District Collector,
Office of the District Collector,
Dharmapuri, Dharmapuri District.

+1cc to Mr.G.Mohammed Assef, Advocate, S.R.No.37116
+1cc to M/S.B.Nedunchezhiyan, Advocate, S.R.No.37016
+1cc to the Government Pleader, S.R.No.37490

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srg (23/07/2016)