

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.Nos.27464 to 27466 of 2016

R.Rajinikanth .. Petitioner in
W.P.No.27464 of 2016

S.Chandrasekar .. Petitioner in
W.P.No.27465 of 2016

Arulmuthu ... Petitioner in
W.P.No.27466 of 2016

Vs

- 1.Tamil Nadu State Marketing Corporation Ltd.,
Rep. by the Managing Director
"Thalamuthu Natarajan Maaligai"
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 2.Tamil Nadu State Marketing Corporation Ltd.,
Rep. by the Senior Regional manager,
L.L.A. Buildings, Anna Salai,
Chennai - 600 002.
- 3.Tamil Nadu State Marketing Corporation Ltd.,
Rep. by its District Manager.
Thiruvallur (East) District,
No.1, Bangalore High Road,
Sembarambakkam,
Thiruvallur District - 602 103. ..Respondents in all W.Ps.

Prayer in W.P.No.27464 of 2016: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents in particular 3rd respondent to conduct tender at the existing Bar Upset Price in respect of the petitioner's Bar attached TASMAC Shop No.8733 at Trunk Road, Kumananchavadi, Chennai based on his representation dated 20.07.2016.

Prayer in W.P.No.27465 of 2016: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents in particular 3rd respondent to conduct tender at the existing Bar Upset Price in respect of the petitioner's Bar attached TASMAC Shop No.8931 at Trunk Road, Kumananchavadi, Chennai based on his representation dated 20.07.2016.

Prayer in W.P.No.27466 of 2016: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents in particular 3rd respondent to conduct tender at the existing Bar Upset Price in respect of the petitioner's Bar attached TASMAC Shop No.8770 at Trunk Road, Kumananchavadi, Chennai based on his representation dated 02.08.2016.

For Petitioner
in all W.Ps. : Mr.M.Saravana Kumar

For Respondents
in all W.Ps. : Mr.C.Kasirajan
Standing Counsel

COMMON ORDER

Heard Mr.M.Saravana Kumar, learned counsel appearing for the petitioners and Mr.C.Kasirajan, learned Standing Counsel accepts notice on behalf of the respondents.

2.The petitioners seek for a direction upon the third respondent to conduct tender at the existing Bar Upset Price in respect of the petitioners' Bar Attached TASMAC retail Shops bearing Nos.8733, 8931 and 8770 at Trunk Road, Kumananchavadi, Chennai by considering their representation.

3.The prayer sought for by the petitioners is not maintainable and such relief cannot be granted.

4.It is submitted by the learned Standing Counsel appearing for the respondents that the petitioners are running a Bar without license.

5.If that be so, immediate action should be taken against the petitioner and in so far as the prayer sought for by the petitioners, the minimum upset price which has to be fixed shall be decided by the respondent Corporation. Considering the various factors, this Court cannot issue any Mandamus to fix a particular upset price for a particular shop. Therefore, the prayer sought for by the petitioners being misconceived, the writ petitions stand dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

+1cc to Mr.M.Saravanakumar, Advocate Sr.44708
+1cc to Mr.C.KasiRajan, Advocate Sr.44605

W.P.Nos.27464 to 27466 of 2016

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