



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.18105 of 2016
and
W.M.P. (MD)No.13058 of 2016

N.Sundarapandian : Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Assistant Commissioner,
Prohibition and Excise,
Theni.

3.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC), Madurai.

4.The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC), Theni. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from opening a TASMAC Shop at Railway Goods Shed Road, Bodi-Moonar National Highway, Theni District.

For Petitioner : Mr.T.Bashyam
For Respondent No.1 : Mr.T.R.Janarthanan,
Additional Government Pleader
For Respondents 2to4 : Mr.M.Muniyasamy

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

The petitioner has come up with this Public Interest Litigation seeking a direction to forbear the respondents from opening a TASMAC Shop at Railway Goods Shed Road, Bodi-Moonar National Highway, Theni District.



2. The District Manager, TASMAL Limited, Theni, has filed a counter-affidavit, wherein in paragraph No.3, he has stated as follows:

"3. I submit that the petitioner filing this writ petition seeking issue a writ, order or direction or any other writ in the nature of writ of Mandamus directing the respondents herein the TASMAL Retail Vending Shop No.8510 is running in Kamaraj Bazar, Bodi Town, Theni District, does not plan to shift the shop No.8510 to Bodi Munnar Road by 4th respondent's office."

3. The learned Standing Counsel appearing for the TASMAL would submit that as of now, there is no proposal at all to open any TASMAL shop at Railway Goods Shed Road, Bodi-Moonar National Highway. The said statement is recorded.

4. In view of the above said statement, no further direction is required in this matter. Accordingly, the Writ Petition is dismissed, as the same has become infructuous. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
Theni District, Theni.

2.The Assistant Commissioner,
Prohibition and Excise,
Theni.

3.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAL), Madurai.

4.The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAL), Theni.

+1CC to the Special Government Pleader, SR.No. 58272

Order made in
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