

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01..09..2017

CORAM

Hon`ble Mr Justice M. SATHYANARAYANAN
and
Hon`ble Mr Justice M.DHANDAPANI

Writ Petition No.23521 of 2017

A.Devi

..... Petitioner

-Versus-

1.The District Collector,
Villupuram,
Villupuram District.

2.The District Manager,
Tamil Nadu State Marketing
Corporation (TASMAC),
Villupuram
Villupuram.

..... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent not to open the TASMAC shop at Olakkur - Murungai Village (near to Government Girls Higher Secondary School, Government High School, Government Middle School from Olakkur, Minnambalm, Maambattu, Konkari Village) and to consider the petitioner's representation letter to the respondents dated 18.08.2017.

For Petitioner : Mr.M.Senthamizh Selvan

For Respondents : Mr.T.N.Rajagopalan,
Spl. Government Pleader
for R1

Mr.P.Arumugarajan for R2

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ORDER

[Order of the court was made by M.SATHYANARAYANAN.J.,]

By consent, the writ petition itself is taken up for final disposal.

2. Mr.T.N.Rajagopalan, the learned Special Government Pleader, accepts notice on behalf of the 1st respondent and Mr.P.Arumugarajan accepts notice on behalf of the 2nd respondent.

3. This writ petition is filed by way of public interest litigation by a resident of No.5, Mariamman Koil Street, Murungai Village, Karasangal Post, Madhuranthagam Taluk, Kancheepuram District, stating that her husband is a farmer and she is a home-maker and she has three children. The 2nd respondent is attempting to construct a liquor vending shop very near to the Government Girls Higher Secondary School. She asserted that in the event the proposed TASMAL shop is located at the place identified by the respondents, certainly, it would cause nuisance to the residents in the locality and the school going students, more particularly, the girl students would be put to unbearable hardship and harassment by the drunkards. She submitted a representation dated 18.08.2017, in this regard, to the 1st respondent and in spite of receipt and acknowledgment of the same, so far no orders have been passed. Hence, this writ petition.

4. The learned counsel for the 2nd respondent would submit that the location where the proposed TASMAL shop is going to be set up would not offend the relevant rules and regulations.

5. This court has considered the rival submissions and also perused the materials placed on record.

6. Though the petitioner prays for a larger relief, this court, without going into merits of the claim made by the petitioner, directs the 1st respondent to put the 2nd respondent on notice and consider the representation of the petitioner dated 18.08.2017 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order and forthwith communicate the decision taken thereon to the petitioner. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Collector,
Villupuram, Villupuram District.

2.The District Manager,
Tamil Nadu State Marketing Corporation
(TASMAC), Villupuram,
Villupuram District.

+ 1 cc to Mr.S. Yoga Anandhi, Advocate Sr.63199
+ 1 cc to B. Nedunchezyan, Advocate SR.63276
+ 1 cc to Government Pleader SR.63652

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CS-V
EU 6.09.17



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