

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.13763 of 2017
and
WMP No.14944 of 2017

Dr.R.Mahendran

.. Petitioner

Vs.

1.The District Collector
Collectorate
Coimbatore - 641 001.

2.Sub Collector
Collectorate
Coimbatore - 641 001.

3.District Manager
TASMAC (South)
Pollachi - 642 002.

4.The Tahsildar
Taluk Office,
Pollachi - 642 001.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 14.04.2017 of the petitioner herein to shift the TASMAC shop situate at C.Gopalapuram Pirivu to some other suitable place.

For Petitioner: Ms.P.T.Asha for M/S.Sarvabhauman
Associates

For Respondents: Mr.M.Elumalai,
Government Advocate, for R1, R2 & R4
Mr.John Kennedy, For R3

O R D E R

Mr.M.Elumalai, learned Government Advocate, takes notice for the respondents 1, 2 and 4. Mr.John Kennedy, learned counsel, takes notice for the third respondent. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The petitioner is aggrieved against the TASMAC Shop and the Bar situated at C.Gopalapuram Privu, which are lying adjacent to his property. According to the petitioner the said location is being opposed by the public and however, the respondents are not taking any steps to re-locate the same. Therefore, the petitioner has given a representation on 14.04.2017, followed by another representation by the local public on 12.05.2017, for shifting the said TASMAC shop and attached Bar. But the said request has not been considered so far. Hence, the petitioner approached this Court and filed the present writ petition seeking for a mandamus, directing the respondent to consider the above representations.

4. The learned counsel appearing for the third respondent submitted that the representations of the petitioner would be considered and appropriate orders will be passed, within the time stipulated by this Court.

5. To the specific submissions made by the learned counsel for the petitioner that running of Bar is creating nuisance to the public, the learned counsel for the third respondent submitted that till the representation of the petitioner is considered, the respondents will not allow the Bar to run continuously.

6. The above undertaking given by the learned counsel for the third respondent is recorded and consequently, the writ petition is disposed of, by directing the third respondent to consider the above said representations of the petitioner as well as the local public and pass appropriate orders within a

period of two weeks from the date of receipt of a copy of this order. Till such time, the respondents shall not run the Bat attached with the TASMAC shop. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector
Collectorate
Coimbatore - 641 001.
- 2.The Sub Collector
Collectorate
Coimbatore - 641 001.
- 3.The District Manager
TASMAC (South)
Pollachi - 642 002.
- 4.The Tahsildar
Taluk Office,
Pollachi - 642 001.

+1cc to M/S.Sarvabhauman Associates Advocate Sr.39870
+1cc to the Government Pleader Sr.40030
+1cc to Mr.M.John Kennady, Advocate Sr.39829

WEB COPY

W.P.No.13763 of 2017

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srg 06/06/2017