

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.13927 of 2017

D.Arokiya Samy ... Petitioner
Vs.

- 1.The Tamil Nadu State Marketing Corporation Limited (TASMAC),
Rep. by the Managing Director,
Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore,
Chennai -8.
- 2.The Tamil Nadu State Marketing Corporation Limited (TASMAC),
Rep. by the Senior Regional Manager,
L.L.A.Buildings, Anna Salai, Chennai -2.
- 3.The Tamil Nadu State Marketing Corporation Limited (TASMAC),
Rep. by the District Manager-Thiruvallur (East),
No.1, Bangalore High Way,
Chembarambakkam, Thiruvallur District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to re-open the TASMAC Shop No.8845 and bar attached to it functioning at Survey No.61, Plot No.8, Mugappear Road, Ambattur, Chennai - 50 in the light of the communication issued by Highways Department vide K.No.25/2017/O.Po./date 18.04.2017 and also in the light of the communication issued by the Tamil Nadu Small Industries Development Corporation Limited vide Rc.No.BN/General/2017 dated 25.04.2017 within a time frame fixed by this Court.

For Petitioner : Mr.E.Vijay Anand

For Respondents : Mr.B.Nedunchezhiyan,
Standing Counsel.

O R D E R

Heard Mr.E.Vijay Anand, learned counsel for the petitioner and Mr.B.Nedunchezhiyan, learned Standing Counsel for the

respondents. With the consent on either side the writ petition itself is taken up for disposal.

2.The petitioner who was granted license to sell eatables and collect empty bottles in TASMAL liquor shop No.8845 is aggrieved by the closure of the shop. The petitioner's case is that the respondent erroneously applied the distance rule and stated that the shop is located in the State Highway. But, the petitioner would stated that the shop does not lie in the State Highway or National Highway, but part of the road is maintained by Ambattur Municipality and the remaining part of the road is maintained by SIDCO. The petitioner has obtained certain communications from the Assistant Engineer, Highways Department, Ambattur Division and the Estate Manager, SIDCO, Ambattur. With these documents, the petitioner now wants the shop to be opened. However, the petitioner has not submitted any representation to the respondents.

3.In the light of the above, this Writ petition stands disposed of by directing the petitioner to submit his representation to the second respondent along with the copies of the communications received from the Highways Department and SIDCO and if any such representation is given, the second respondent is directed to consider the same on merits and in accordance with law as expeditiously as possible. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

abr

To

- सत्यमेव जयते
1. The the Managing Director,
The Tamil Nadu State Marketing
Corporation Limited (TASMAL),
Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore,
Chennai -8.
 2. The Senior Regional Manager,
TheTamil Nadu State Marketing
Corporation Limited (TASMAL),
L.L.A.Buildings, Anna Salai, Chennai -2.

3. The District Manager-Thiruvallur (East),
The Tamil Nadu State Marketing
Corporation Limited (TASMAC),
No.1, Bangalore High Way,
Chembarambakkam, Thiruvallur District.

+ 1 cc to M/s.E.Vijay Anand, Advocate,SR.52397

+ 1 cc to M/s.B.Nedunchezhiyan, Advocate,SR.52619

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NR 17/08/2017



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