

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.24330 of 2017

V.Dhavagnanam

.. Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Marketing
Corporation Limited (TASMAC),
4th Floor, CMDA Tower-II,
Egmore, Chennai.

2.The District Collector,
Villupuram District, Villupuram.

3.The District Manager,
Tasmac Retail Vending Shops,
Tasmac Limited,
Villupuram District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to consider the representation dated 16.08.2017 of the petitioner and to take immediate action as per law and to remove the TASMAC retail shop bearing No.11686 located near the bus stop at Deviyanandal Village within 10 meter the prohibited distance from the Salem-Puducherry State Highway in compliance with the directions of the Hon'ble Supreme Court.

For Petitioner : Mr.K.Balu

For Respondents : Mr.B.Nedunchezian
for respondent Nos.1 & 3
Mr.M.K.Subramanian
Government Pleader
for respondent No.2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed seeking orders on the respondents to consider the representation dated 16th August 2017

of the petitioner and to take immediate action as per law to remove the TASMAL retail shop No.11686 located near the bus stop at Devayanandal Village within 10 metres from Salem-Puducherry State Highway.

2. It is not in dispute that establishing a TASMAL retail shop within 10 metres from the State Highway is prohibited by the orders of the Hon'ble Supreme Court. However, the learned counsel appearing on behalf of respondent Nos.1 & 3 submits that the shop is not within the prohibited distance from any highway. According to the petitioner, the road referred to in the writ petition is a District Major Road and not a State Highway. Since there is no other illegality adverted to in the writ petition, we do not deem it appropriate to entertain this writ petition.

3. The writ petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To:

1.The Managing Director,
Tamil Nadu State Marketing
Corporation Limited (TASMAL),
4th Floor, CMDA Tower-II,
Egmore, Chennai.

2.The District Collector,
Villupuram District,
Villupuram.

3.The District Manager,
Tasmal Retail Vending Shops,
Tasmal Limited,
Villupuram District.

+1cc to Mr.K.Balu, Advocate, S.R.No.68272

+1cc to Mr.B.Nedunchizhiyan, Advocate, S.R.No.68445

+1cc to the Government Pleader, S.R.No.68852

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PVS (CO)
GN (23/10/2017)