

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.14415 of 2017

and

WMP.No.15626 of 2017

B.Chinnasamy

.... Petitioner

Vs.

1.The District Collector,
Coimbatore.

2.The Sub- Collector,
Pollachi.

3.The District Manager,
Tasmac (South)
Pollachi.

4.The Tahsildhar,
Pollachi

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus forbearing the respondents from to putting up and operating the Tasmac Shop in S.F. No.66/6A2 in Zamin Uthukulli Village of Pollachi Taluk.

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

For Respondents : Mr. K. Venkataraman
Additional Advocate General
assisted by Mr. John Kennedy for R3
Mr.M.Elumalai
Government Advocate for R1,R2 and R4

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O R D E R

The learned Additional Advocate General takes notice on behalf of the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus forbearing the respondents from operating TASMAL shop in SF.No.66/6A2 in Zamin Uthukulli Village of Pollachi taluk.

3. The learned counsel for the petitioner submitted that the proposed location is opposed by the public and a representation to that effect was also given on 05.06.2017. It is further stated by the learned counsel that the respondents are trying to put up the TASMAC shop hurriedly in the above disputed site without even considering the objection raised by the petitioner and other villagers.

4. The learned Additional Advocate General based on instructions submitted that the proposed location is not against any rules and therefore the petitioner cannot have any grievance. However he fairly submitted that the representation made by the local public, opposing such location will be considered and appropriate orders will be passed within a period of two weeks.

5. Considering the above stated facts and circumstances of the case and the submissions made on either side, the first and third respondents are directed to consider the grievance of the petitioner and other villagers as against the proposed location of the said TASMAC shop and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order. Pending such decision, the respondents shall maintain status quo, as on today.

6. Accordingly this writ petition is disposed of. No costs. Connected miscellaneous petition is also closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

dpq/aav

To

1.The District Collector,
Coimbatore.

2.The Sub- Collector,
Pollachi.

3.The District Manager,
Tasmac (South)
Pollachi.

4.The Tahsildhar,
Pollachi

+1cc to M/s.Sarvabhavman Associates Advocate, in sr.no.40823
+1cc to Mr.M.Johnkennady, Advocate in sr.no.41153
+1cc to Government Pleader in sr.no.41288

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SR (CO)
NR 21/06/2017



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