

In the High Court of Judicature at Madras

Dated : 21.9.2017

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.25379 of 2017 & WMP.No.26811 of 2017

Mrs.Mabubee

...Petitioner

Vs

1. The District Manager, Tamil Nadu State Marketing Corporation Limited (TASMAC), Kanchipuram North, Thirumazhisai Unit 3, Chembarambakkam, Chennai-123.
2. The Senior Regional Manager, Tamil Nadu State Marketing Corporation Limited (TASMAC) No.735, LLA Building, 4th Floor, Anna Salai, Chennai-2.
3. Tamil Nadu State Marketing Corporation Limited (TASMAC) Rep. by, its Managing Director, Thalamuthu Nadarajan Building, Gandhi Irwin Road, Egmore, Chennai-8.
4. The District Collector, Kancheepuram District, Kancheepuram.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents, their men, their people, their sub-ordinate or any other claiming through them from in any manner locating or installing any TASMAC shop in Chemmencheri Housing Board Road, Chemmencheri, Chennai-119 in view of the petitioner's representation dated 06.9.2017.

For Petitioner	: Mr.S.Balasubramanian
For Respondent-1 to 3	: Mr.Arumugha Rajan
For Respondent-4	: Ms.M.Lalitha, GA

O R D E R

Heard Mr.S.Balasubramanian, learned counsel for the petitioner and Mr.Arumugha Rajan, learned counsel accepting notice for respondents 1 to 3 and Ms.M.Lalitha, learned Government Advocate accepting notice for the fourth respondent. Heard both. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner is a resident of a flat in the Tamil Nadu Slum Clearance Board Housing Complex, Chemmancheri wherein there are about 30,000 houses and much population is residing in that area. The petitioner is aggrieved by the action initiated by the respondent - Corporation in trying to locate a TASMACH shop in Chemmancheri Housing Board Road. According to the petitioner, if the TASMACH shop is located, it will be detrimental to the public, especially school going children and working women, who are more in number in the Slum Clearance Board Housing Complex. Therefore, the petitioner had given a representation to the Authorities including the fourth respondent - District Collector.

3. It appears that till date, the shop has not been located and that the same cannot be located without the prior approval of the District Collector. Therefore, this is a fit case where the District Collector shall consider the representation of the petitioner.

4. Accordingly, the writ petition is disposed of with a direction to the fourth respondent to consider the representation of the petitioner dated 06.9.2017 on merits and in accordance with law, by ordering for an inspection of the area. After receiving the inspection report, the fourth respondent shall take a pragmatic decision in the matter within a period of six weeks from the date of receipt of a copy of this order. Till then, the new shop shall not be located in the Chemmancheri Housing Board Road. No costs. Consequently, the above WMP is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The District Manager, Tamil Nadu State Marketing Corporation Limited

(TASMAC) Kanchipuram North, Thirumazhisai Unit 3,
Chembarambakkam,
Chennai-123.

2.The Senior Regional Manager,Tamil Nadu State Marketing Corporation

Limited (TASMAC) No.735, LLA Building, 4th Floor, Anna Salai,
Chennai-2.

3.The Managing Director, Tamil Nadu State Marketing Corporation Limited

(TASMAC), Thalamuthu Nadarajan Building, Gandhi Irwin Road,
Egmore,
Chennai-8.

4.The District Collector, Kancheepuram District, Kancheepuram.

+1 CC to Mr.K. Harikrishnan, Advocate sr 71107.

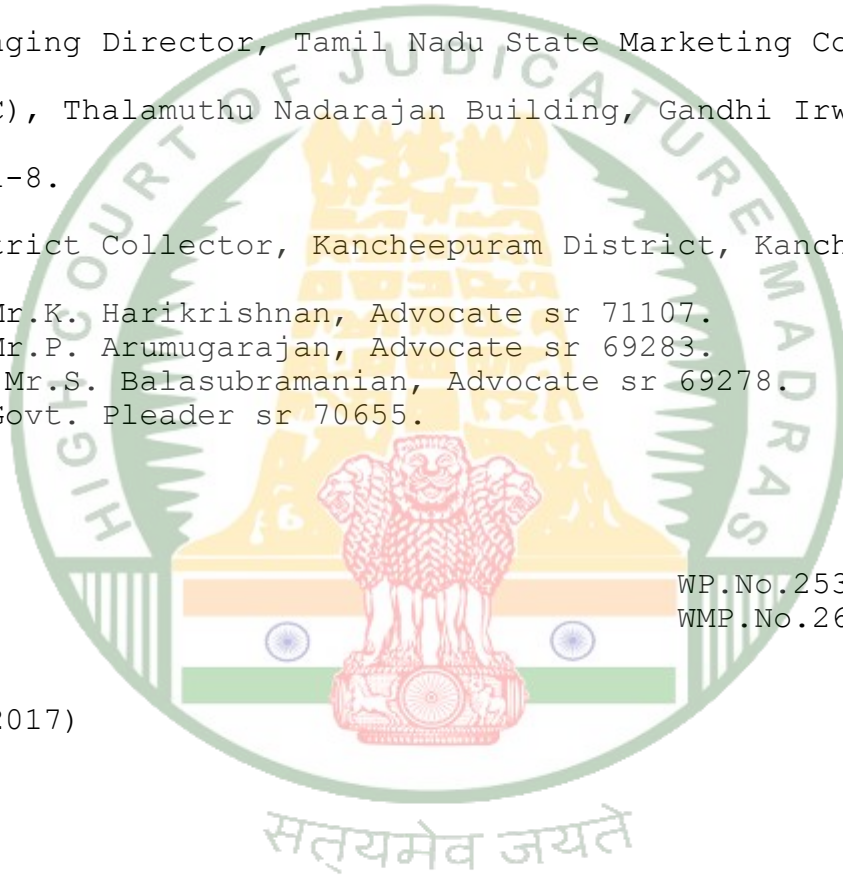
+1 CC to Mr.P. Arumugarajan, Advocate sr 69283.

+2 Ccs to Mr.S. Balasubramanian, Advocate sr 69278.

+1 CC to Govt. Pleader sr 70655.

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SVI (CO)
SP (23/10/2017)



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