

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2017

CORAM

THE HONOURABLE Mr. JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE Mr. JUSTICE M.SUNDAR

W.P.No.15568 of 2017
and WMP.No.16874 of 2017

A.Palanisamy ... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Palladam Road,
Tiruppur.

2.The Sub Collector,
District Collectorate,
Palladam Road,
Tiruppur.

3.The District Manager,
TASMAC,
Tiruppur.

4.The Tasildhar,
Avinashi Taluk Office,
Avinashi,
Tiruppur.

5.The Village Administrative Officer,
VAO Office,
Thirumuruganpoondi,
Tiruppur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 5 to consider the petitioner's representation dated 09.06.2017 and consequently direct the respondents 1 to 5 to shift the TASMAC shop No.1513 which is to be opened in S.F.No.559/2a,1a situated within the limit of Thirumuruganpoondi Town Panchayath, Tiruppur District, to some other place.

For Petitioner : Mr.D.Gopal

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondent Nos.1, 2, 4 & 5

Mr.John Kennedy for R3

O R D E R

(Order of the Court was made by M.SATHYANARAYANAN,J.)

By consent, the writ petition is taken up for final disposal. Mr.M.K.Subramanian, learned Government Pleader accepts notice for respondents 1, 2, 4 & 5. Mr.John Kennedy, learned standing counsel accepts notice for respondent No.3.

2. Though the petitioner prays for a larger relief, in the light of the facts and circumstances projected in the affidavit filed in support of the writ petition as well as the representation dated 09.06.2017 submitted by the petitioner, this Court is of the view that, it would suffice to direct the second respondent to consider and dispose of the representation of the petitioner dated 09.06.2017 in accordance with law.

3. The petitioner claims to be Ex-Chairman of Thirumuruganpoondi Town Panchayat and also a member of the ruling party. He would further claim that he is engaging himself in the service of the people. The grievance expressed by the petitioner is that respondent No.3 proposed to locate a liquor shop about 360 metres from Avinashi - Tiruppur National Highways and the same is in violation of the orders passed by the Hon'ble Supreme Court in Civil Appeal Nos.12164-12166 of 2016 dated 15.12.2016 and the subsequent order dated 31.03.2017. Though he submitted a representation on 09.06.2017 to the first respondent and the copies marked to respondent Nos.2 to 5, the said representation was not considered by the respondents till date. Therefore, he came forward to file the present writ petition.

4. Mr.M.K.Subramanian, learned Government Pleader appearing on behalf of respondent Nos.1, 2, 4 & 5, on instruction, would submit that the second respondent is dealing with the said representation and the second respondent will dispose of the representation of the petitioner at an early date.

5. The Court also heard the submission of the learned standing counsel appearing for the third respondent and perused the materials placed on record before it.

6. In the light of the facts and circumstances and without going into the merits of the claim projected either in the representation of the petitioner or in the affidavit filed in support of the writ petition, we direct the second respondent to dispose of the representation of the petitioner dated 09.06.2017 on merits and in accordance with law and pass orders within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.16874 of 2017 is closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

- 1.The District Collector,
District Collectorate,
Palladam Road,
Tiruppur.
- 2.The Sub Collector,
District Collectorate,
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Tiruppur.
- 3.The District Manager,
TASMAC,
Tiruppur.
- 4.The Tasildhar,
Avinashi Taluk Office,
Avinashi,
Tiruppur.
- 5.The Village Administrative Officer,
VAO Office,
Thirumuruganpoondi,
Tiruppur.

+1cc to M/s.D.Gopal & D.Raghu,Advocate sr.44252

+1cc to Mr.M.John Kennady,Advocate sr.44247

W.P.No.15568 of 2017

sv1 (co)
ss (27/6/2017)