

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.09.2017
CORAM :
THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM
Writ Petition No.25598 of 2017

K.Ramesh

...Petitioner

Vs.

1. The Collector,
Kancheepuram District.
2. The Managing Director,
TASMAC Ltd.,
Chennai - 600 008.
3. The District Superintendent cum Sub Collector,
TASMAC Ltd.,
Kancheepuram (South),
Kancheepuram. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 21.04.2017 for reopen the TASMAC shop No.4527 situated at No.45, Karunkuli Road, Thirukalukundram, Kancheepuram District, within the time to be stipulated by this Court.

For Petitioner : Mr.S.Venkatesh

For Respondents : Ms.M.Lalitha [For R1]
Government Advocate
Mr.K.Sathish Kumar
[For R2 & R3]

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O R D E R

Heard Mr.S.Venkatesh, learned counsel for the petitioner, Ms.M.Lalitha, learned Government Advocate appearing on behalf of the first respondent and Mr.K.Sathish Kumar, learned counsel appearing on behalf of the second and third respondents.

2. With the consent of the learned counsel on either side, the writ petition itself is taken up for disposal.

3. The petitioner is aggrieved by the action of the respondents in closing down the TASMAL retail vendor shop No.4527 in the building owned by him. The petitioner's case is that he has invested huge amount of money for the construction of the shop on the ground that the respondent/TASMAL will continue as a tenant. However, all of a sudden, without any valid reason, the shop has been closed.

4. The petitioner would contend that the shop does not infringe the distance rules nor it is affected by the directions issued by the Hon'ble Supreme Court. In this regard, the petitioner has submitted a representation dated 21.04.2017, to reopen the TASMAL shop No.4527 in the building situated at No.45, Karunkuli Road, Thirukalukundram, Kancheepuram District to the second respondent.

5. The learned counsel appearing for the TASMAL pointed out that the petitioner has not challenged the order of shifting of the shop. In any event, since the representation is pending before the second respondent, there will be a direction to the second respondent to consider the representation dated 21.04.2017 submitted by the petitioner and pass orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sli/maya

To

1. The Collector,
Kancheepuram District.
2. The Managing Director,
TASMAC Ltd.,
Chennai - 600 008.
3. The District Superintendent cum Sub Collector,
TASMAC Ltd.,
Kancheepuram (South),
Kancheepuram.

+1 cc to the Government Pleader sr 70613

+1 cc to the M/s.S.Venkatesh Advocate sr 70539

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rj(co)
aa23/10/2017



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