

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.16797 of 2017

&

W.M.P.No.18244 of 2017

Thajudeen

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Thiruvarur District, Thiruvarur.
2. The District Manager,
TASMAC Ltd.,
Thiruvarur District, Thiruvarur.
3. The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.
4. The Tahsildar,
Taluk Office,
Needamangalam,
Thiruvarur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a WRIT OF MANDAMUS directing the respondents as not to new open of any Tasmac shops at Old Needamangalam Main Road and nearby places affecting the villagers of Anumanthapuram, Pazhangalathur and Ottakudi.

For Petitioner : Mr.K.M.Subramaniam

For Respondents : M/s.A.Srijayanthi
Special Government Pleader
(For R1,R3 & R4)
Mr.B.Nedunchezhiyan, for R2

O R D E R

Heard Mr.K.M.Surbramaniam, learned counsel for the petitioner, M/s.A.Srijayanthi, learned Special Government Pleader for the respondents 1, 3 and 4 and Mr.B.Nedunchezhiyan, learned Standing counsel for the second respondent. With the consent on either side, the writ petition itself is taken up for disposal.

2.The petitioner has filed the writ petition on his behalf as well as on behalf of the villagers of Anumanthapuram, Pazhangalathur and Ottakudi, objecting to a location of the TASMAC shop in the village and pointing out that if the shop is located in the proposed location, it will infringe the distance rule and it will be against public interest. A road roko was proposed to be conducted on 10.05.2017 and therefore, the Tahsildar, Needamangalam convened a peace meeting on 09.05.2017, in which it was recorded that the TASMAC shop will not be opened in the proposed location.

3.The learned counsel for the petitioner submitted that in spite of such undertaking given in the Peace committee meeting held on 09.05.2017, the second respondent is taking effective steps to locate the shop in violation of the decision arrived at in the peace committee meeting. Therefore, representation has been submitted to the first respondent and the same is now pending consideration of the first respondent.

4.In the light of the above, there will be a direction to the first respondent to consider the petitioner's representation dated 04.04.2017 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. Till then, the TASMAC shop should not be located in the proposed location.

5.With the above direction, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

abr/cse

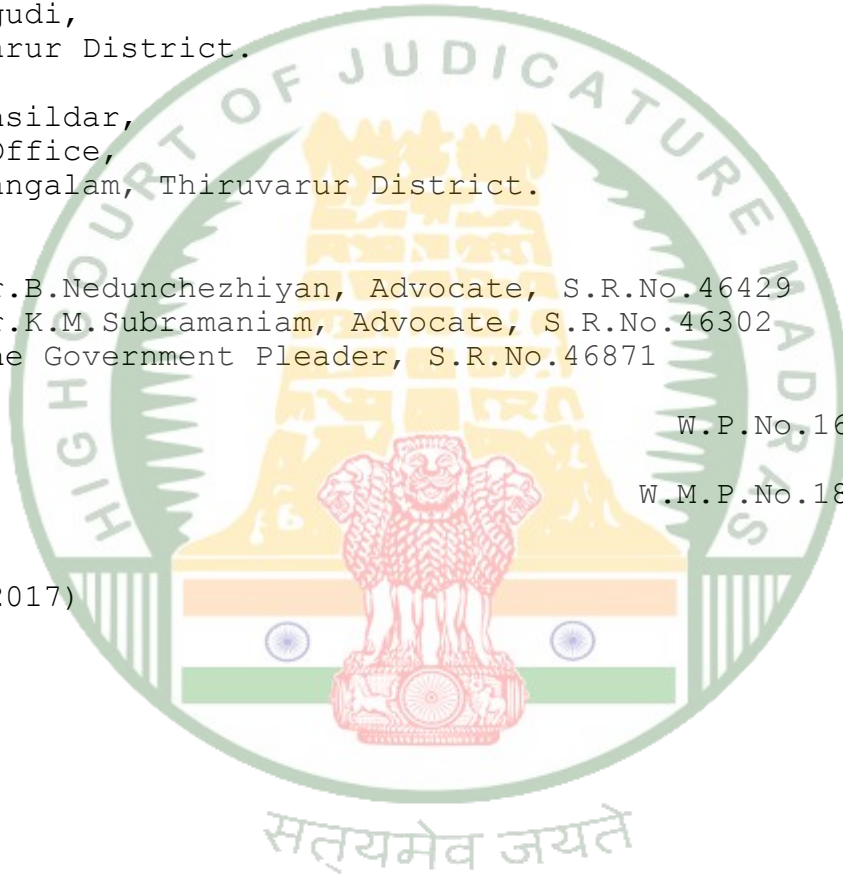
To

1. The District Collector,
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2. The District Manager,
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Thiruvarur District, Thiruvarur.
3. The Revenue Divisional Officer,
Mannargudi,
Thiruvarur District.
4. The Tahsildar,
Taluk Office,
Needamangalam, Thiruvarur District.

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No.46429
+1cc to Mr.K.M.Subramaniam, Advocate, S.R.No.46302
+1cc to the Government Pleader, S.R.No.46871

W.P.No.16797 of 2017
&
W.M.P.No.18244 of 2017

CP(CO)
CA(17/07/2017)



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