

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.29465 of 2017

k.Prabhakaran

... Petitioner

Vs.

1.The District Collector,
Erode District.

2.The Managing Director,
TASMAC, CMDA Tower - II,
4th Floor, Egmore,
Chennai - 600 008.

3.The District Manager,
TASMAC, Kuriampalayam Post,
Erode District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ Mandamus to direct the respondents to consider the representation of the petitioner dated 02.11.2017 and take decision on the status of the TASMAC Shop No.3859 situated in the petitioner's property in S.No.69/3, Singiripalayam Village, Gobichettipalayam Taluk, Erode District.

For Petitioner : Mr.T.Nirmaleswar

For R1 : Mr.R.Rajeswaran

Special Government Pleader.

For RR 2 & 3 : Mr.K.Sathish Kumar

O R D E R

Heard Mr.T.Nirmaleswar, learned counsel for the petitioner; Mr.R.Rajeswaran, learned Special Government Pleader accepts notice for the 1st respondent and Mr.K.Sahish Kumar, learned Standing Counsel accepts notice for respondents 2 & 3. With the consent on either side, the Writ Petition is taken up for final disposal.

2. The petitioner has filed this writ petition to direct the 3rd respondent to consider the petitioner's representation dated 02.11.2017. In the said representation, the petitioner pointed out that the respondent TASMAC has taken the petitioner's

property for establishing a Retail Vending Shop bearing No.3859 and on the instructions given by the respondent TASMAC, the petitioner had made a construction on his property and executed a lease deed in favour of the respondent TASMAC. However, all of a sudden, the shop has been locked and the petitioner does not know as to what is the status of the said shop and what the TASMAC intends to do. The representation was given to the Revenue Divisional Officer, Gobichettipalayam, who has forwarded it to the 3rd respondent vide proceedings dated 06.11.2017 for appropriate direction. Therefore, the 3rd respondent should inform the petitioner as to whether they proposed to continue the lease or otherwise.

3. In the light of the above, the Writ Petition is disposed of, by directing the 3rd respondent to consider the representation of the petitioner dated 02.11.2017 and pass appropriate 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 and communicate the same to the petitioner by registered post. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

msvm/sgl

To

- 1.The District Collector,
Erode District.
- 2.The Managing Director,
TASMAC, CMDA Tower - II,
4th Floor, Egmore,
Chennai - 600 008.
- 3.The District Manager,
TASMAC, Kuriampalayam Post,
Erode District.

+1cc to Mr.K.Sathish Kumar, Advocate, S.R.No.81815
+1cc to Mr.T.Nirmaleswar, Advocate, S.R.No.81778
+1cc to the Government Pleader, S.R.No.82016

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GP(CO)
GN(20/11/2017)