

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.19684 of 2017
and W.M.P.No.21240 of 2017

G.Senthil

.. Petitioner

Vs

1.The Tamil Nadu State Marketing Corporation Limited (TASMAC),
rep.by its Chairman & Managing Director,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2.The District Manager,
The Tamil Nadu State Marketing Corporation Limited (TASMAC),
Tiruvellore East District, Tiruvellore.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents herein, their men, agents, servants, subordinates or any other person or persons authorized by them, from in any manner, interfering with the petitioner's right to carry on business of collecting empty bottles and selling eatables in the Bar attached to Shop No.8914 at No.9, Venkataramulu Naidu Street, Varadharajapuram, Ambattur, Chennai-600 053.

For Petitioner : Ms.AL.Ganthimathi

For Respondents : Mr.B.Nedunchezhiyan

ORDER

The petitioner, who has been granted license by the respondent TASMAC to sell eatables and collect empty bottles from the TASMAC Shop No.8914, is before this Court stating that the second respondent is not permitting the petitioner to start his business to sell eatables and collect empty bottles from the said TASMAC shop.

2.Mr.B.Nedunchezhiyan, learned standing counsel appearing for the respondent TASMAC, on instructions submitted that because of public agitation, the vending has been stopped

temporarily and it is not a permanent closure of the shop and after normalcy is restored, the petitioner will be permitted to carry on with his license.

3. In the light of the said submission, the writ petition is disposed of with the direction that if there is no valid objection for running the shop or to continue with the petitioner's business, then the petitioner shall be permitted to carry on his activities in terms of the license. However, it is for the respondents to take a decision in the matter considering the nature of objections, orders that could be passed by the District Collector and proceed in accordance with law.

4. With the above observation, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst. Registrar (CCC)

/true copy/

Sub Asst. Registrar

KM

To

1. The Chairman & Managing Director,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2. The District Manager,
The Tamil Nadu State Marketing Corporation Limited (TASMAC),
Tiruvellore East District, Tiruvellore.

+1CC TO mR.B.Nedunchezian, Advocate sr.54801

+1cc to Mr.A.L.Gandhimathi, Advocate sr.55007

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ks(co)
ss(10/8/2017)