

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2017

CORAM :

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mr.JUSTICE M.SUNDAR

W.P. No.19791 of 2017

and

W.M.P.No.21372 of 2017

A.Anish Kumar .. Petitioner

Vs.

1.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai-600 009.

2.Tamil Nadu State Marketing Corporation
Limited (TASMAC),
represented by its Managing Director,
CMDA Tower-II,
Gandhi Irwin Road,
Egmore, Chennai-600 008.

3.The District Collector,
Tirupur District,
Tirupur.

4.The District Manager,
The Tamil Nadu State Marketing
Corporation (TASMAC),
District Collector Office,
Tirupur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the second respondent herein to take appropriate action on the representation dated 31.5.2017 made by the petitioner and safeguard the interests of the village people.

For Petitioner : Ms.Selvi

For Respondents :Mr.Sathish Kumar for RR2 and 4
Ms.Vasudha Thiagarajan, AGP
for RR1 and 3

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ORDER

(Order of the Court was made by T.S.Sivagnanam, J.)

The petitioner has filed this writ petition designed as a Public Interest Litigation with a prayer to direct the second respondent to take appropriate action on the representation dated 31.5.2017, in which the petitioner has sought for closing down a TASMAL liquor retail vending shop bearing No.2004.

2 The petitioner would state that it is situated within 270 meters from the National Highway and also within the prohibited distance of places of worship, schools, etc. It is submitted that in spite of the representation being given to the authorities, which has also been signed by other residents in the locality, no action has been initiated.

3 Learned counsel for the respondent TASMAL submits that there is no violation of distance rule and the representation having been given to the District Collector, it would be appropriate for the Collector to take a decision in the matter as he is the competent authority in terms of rule to approve the location of the shop.

4 To be noted, the representation as found at pages 2 and 3 of the typed set of papers of the writ petition is dated 30.05.2017, but in the prayer in the writ petition, date of representation has been mentioned as 31.05.2017.

5 Therefore, without going into the merits of the petitioner's contentions, there shall be a direction to the third respondent District Collector to consider the representation of the petitioner dated 30.5.2017 (found at pages 2 and 3 of writ petitioner's typed set of papers) and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of four

weeks from the date of receipt of copy of this order. This writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai-600 009.
- 2.The Managing Director,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
CMDA Tower-III,
Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 3.The District Collector,
Tirupur District,
Tirupur.
- 4.The District Manager,
The Tamil Nadu State Marketing
Corporation (TASMAC),
District Collector Office,
Tirupur District.

+1 cc to M/s.Selvi Advocate sr 57029
+1 cc to Government Pleader sr 56403

W.P.No.19791 of 2017

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