



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2017

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**W.P.(MD) No. 12090 of 2017

WEB COPY

N.Subramanian

... Petitioner

-Vs-

1. The District Manager,
TASMAC,
Puthukottai District.
2. The Superintendent of Police,
Puthukottai District,
3. The Deputy Superintendent of Police,
Karampakudi Taluk,
Puthukottai District.
4. The Inspector of Police,
Karampakudi Police Station,
Puthukottai District.
5. The District Collector,
Puthukottai District.

... Respondents

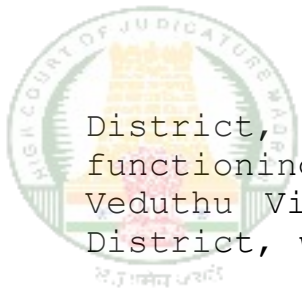
[R5 is impleaded suo motu by
this court as per order dated 14.07.2017]

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents Nos.1 to 4 to ensure that the order of the District Collector, Puthukottai, District in Na.Ka.No.J4/421/2017 dated 14.06.2017 is implemented in stricto sensu by functioning the TASMAC Shop No.6520 at Pula No.19/5C Pilluvettu Veduthu Village, Karampa Viduthi, Karampakudi Taluk, Puthukottai District, with sufficient police protection.

For Petitioner : Mr.M.Eswaran
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

ORDER

The petitioner has come forward with this Writ Petition for
<https://hc.services.aparte.gov.in/fcservices/> Writ of Mandamus, to direct the respondents to
ensure that the order of the District Collector, Puthukottai,



District, dated 14.06.2017 is implemented in stricto sensu by functioning the TASMAC Shop No.6520 at Pula No.19/5C Pilluvettu Veduthu Village, Karampa Viduthi, Karampakudi Taluk, Puthukottai District, with sufficient police protection.

2. The case of the petitioner is that the District Collector, by proceedings dated 14.06.2017, granted permission to have a TASMAC Shop in the said place on the ground that the place has been chosen by the District Manager, TASMAC, Puthukottai, and there are no objections.

3. In the Writ Petition, moved for admission, this Court directed the learned Special Government Pleader to get instructions. On instruction, it is stated that, because of the public agitations and objection, the official respondents are not able to consider the request of the petitioner.

4. In the said circumstances, this Court is inclined to *suo motu* implead the District Collector, Puthukottai District, as fifth respondent in this Writ Petition. The office is directed to make necessary amendments in the cause title of this Writ Petition.

5. The petitioner claimed to be a lessee of a property and that he has offered the property for running a TASMAC shop. He is not the applicant before District Collector and he has no right to choose the place and the first respondent need not go for sub lease. The District Collector, Puthukottai District, is directed to consider the objections of the public and after considering the grievance of general public and interested persons, it is open to the District Collector, Puthukottai District, to take a decision. This exercise shall be done by the District Collector, Puthukottai District, after issuing a prior notice by giving at least 15 days to the public to submit their representation or objection. After holding a public hearing, the District Collector shall pass orders within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1. The District Manager,

<https://hcservices.ecm.mis.gov.in/hcservices/>

Puthukottai District.



2. The Superintendent of Police,
Puthukottai District,

3. The Deputy Superintendent of Police,
Karampakudi Taluk,
Puthukottai District.

4. The Inspector of Police,
Karampakudi Police Station,
Puthukottai District.

5. The District Collector,
Puthukottai District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 65890/17

+1 CC to M/s.M.ESWARAN, Advocate, SR No. 65549.

CMR/DSS

PSM/SKN-RSK/SAR4/19.07.2017/3P/8C

W.P.(MD) No. 12090 of 2017
14.07.2017