

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.13984 of 2017

M.Saravanan

: Petitioner

Vs.

1. The District Collector,
District Collector Office,
Pudukottai District.
2. The Superintendent of Police,
Superintendent of Police Office,
Pudukottai District.
3. The District Manager,
TASMAC District Office,
SIPCOT,
Pudukottai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents forbearing from relocating, shifting, opening the TASMAC Shop: 6637 in Survey No.234/5A1A1 of Keeramangalam North Village in consideration of representation dated 06.04.2017.

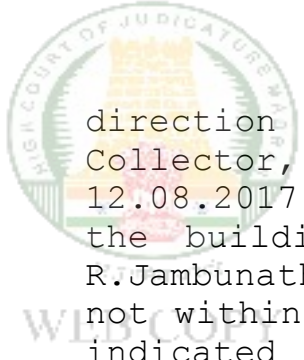
For Petitioner	: Mr.K.C.Maniyarasu
For R.1 & R.2	: Mr.T.S.Md.Mohideen Additional Government Pleader
For Respondent No.3	: Mr.B.Jameel Arasu for Mr.H.Arumugam.

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This writ petition has been filed for forbearing the authorities from relocating, shifting or opening the TASMAC Shop No.6637 in Survey No.234/5A1A1 of Keeramangalam North Village.

2. The writ petitioner had already submitted a representation dated 06.04.2017 in this regard. Pursuant to the



direction given by this Court on 28.07.2017, the District Collector, Pudukottai District submitted his report dated 12.08.2017. In the said report, the first respondent stated that the building located in Survey No.234/5A1A1, belonging to one R.Jambunathan was identified for relocation. The proposed site is not within the prohibited distance. The first respondent has also indicated the distance from various locations such as temple, school, marriage hall and State Highway to the outlet. There is no violation of Rule 8(i) of Tamil Nadu Retail Vending (Shops and Bar) Rules, 2003 or the orders passed by the Honourable Supreme Court. The learned Counsel appearing for the writ petitioner is not in a position to point out any statutory violation on the part of the respondents with regard to the proposed site.

3.This Court is not in a position to grant relief sought for in this writ petition. This Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collector Office,
Pudukottai District.
2. The Superintendent of Police,
Superintendent of Police Office,
Pudukottai District.
3. The District Manager,
TASMAC District Office,
SIPCOT,
Pudukottai District.

+1cc to M/S. K.C.MANIYARASU, Advocate, SR.No.72747.
+1cc to M/S. H.ARUMUGAM, Advocate, SR.No.72831.
+1cc to Special Government Pleader, SR.No.73221.

Order made in
W.P. (MD) No.13984 of 2017
16.08.2017