



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No. 14980 of 2017

and

W.M.P(MD)No.11804 of 2017

S.Kavitha

.. Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Sivagangai District,
Sivagangai.

2. The District Manager,
TASMAC, Sivagangai District,
Sivagangai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to reopen the TASMAC retail shop no.7602 in the building specifically constructed for the purpose at survey No.120/7A1B Thanichavoorani Village, Sirumaruthoor Group, Devakottai Taluk, Sivagangai District.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate for R.1

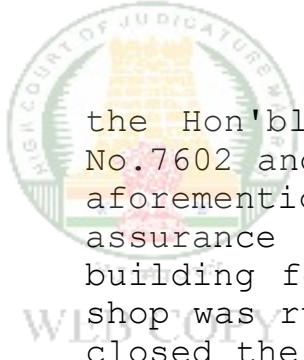
Mr.H.Arumugam,
Standing Counsel for R.2

ORDER

This writ petition has been filed by the petitioner, seeking a writ of Mandamus, to direct the respondents to reopen the TASMAC retail Shop No.7602, in the building at Survey No.120/7A1B, Thanichavoorani Village, Sirumaruthoor Group, Devakottai Taluk, Sivagangai District.

<https://hcservices.ecourts.gov.in/hcservices/>

2.According to the petitioner, pursuant to the direction of



the Hon'ble Apex Court, the respondents closed the TASMACH Shop No.7602 and approached the petitioner for opening the same, in the aforementioned address, which belongs to her. Based on the assurance given by the respondents, the petitioner constructed a building for running the TASMACH Shop No.7602 and thereafter, the shop was run there, for some time. All of a sudden the respondents closed the said shop in the petitioner's place and on enquiry, the petitioner found that the respondents are searching for another place for opening the same. On knowing the above development, the petitioner submitted a representation before the respondents, on 03.08.2017. As the same is kept pending, without any action, the present writ petition came to be filed.

3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for R1 as well as the learned Standing Counsel appearing for R2.

4. The learned Government Advocate appearing for the first respondent, on instructions, submitted that the competent authority to take a decision in this matter is the District Collector/first respondent herein and no representation has been submitted by the petitioner to him. However, he has fairly submitted that in the event of the petitioner submitting a copy of the representation dated 03.08.2017, to the first respondent, the same will be considered and suitable orders will be passed.

5. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the petitioner to submit a copy of the representation dated 03.08.2017 along with a copy of this order, to the first respondent, forthwith, who in turn is directed to consider the same and pass appropriate orders thereon, on its own merits and in accordance with law, within a period of six weeks thereafter, after affording due opportunity of hearing to the petitioner.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.



2. The District Manager,
TASMAC, Sivagangai District,
Sivagangai.

+1cc to MR.H.Arumugam, Advocate in SR.No.77446
+1cc to Mr.S.Malakani, Advocate in SR.No.77410
+1cc to The Special Government Pleader in SR.No.77646

gk

AE/SKN RSK/SAR3/18.09.2017/3P/6C

ORDER MADE IN
W.P(MD)No.14980 of 2017
and
W.M.P(MD)No.11804 of 2017
07.09.2017