

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

DATED : 29.08.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P. (MD) No.15775 of 2017

G.Sundarraaj

... Petitioner

Vs.

1. The District Collector,
District Collector Campus,
Tirunelveli District.
2. The District Manager,
TASMAC, Tirunelveli.
3. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
4. The Inspector of Police,
Panagudi Police Station,
Radhapuram Taluk, Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to ensure that the order of the District Collector, Tirunelveli in Na.Ka.X3/28301/2017, dated 31.07.2017 by Implementing in Stricto Senso for functioning the TASMAC Shop No.10854 in Door No.656/B-1, Ganesapuram, South Valliyoor Village, Radhapuram Taluk, Tirunelveli District with sufficient police protection.

For Petitioner : Mr.S.Vinayak

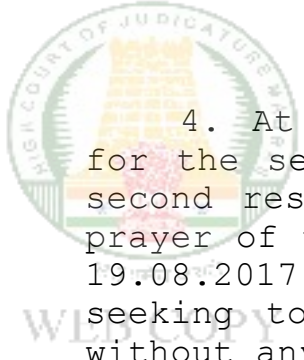
For Respondents : Mr.S.Kumar,
Addl. Govt. Pleader for RR.1, 3 & 4
Mr.B.Jameel Arasu,
Standing Counsel for R.2

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents, to ensure compliance of the order issued by the District Collector, Tirunelveli, dated 31.07.2017, with regard to the functioning of the TASMAC shop No.10854 in Door No.656/B-1, Ganesapuram, South Valliyoor Village, Radhapuram Taluk, Tirunelveli District.

2. Heard the learned Counsel appearing on either side.

3. It is seen that though the first respondent, vide order dated 31.07.2017 passed in Na.Ka.X3/28301/2017, has recommended positively in favour of the petitioner, such recommendation did not yield any fruitful result and hence, the petitioner is before this Court with the above prayer.



4. At this juncture, the learned Standing Counsel appearing for the second respondent / TASMAL has fairly submitted that the second respondent has also taken a stand in consonance with the prayer of the petitioner and also submitted a representation dated 19.08.2017 bearing Na.Ka.No.A4/1201/17/, to the third respondent, seeking to provide necessary protection, which is still pending without any decision thereon.

5. Such being the case, this Court is of the view that if the said representation dated 19.08.2017 is disposed of by the third respondent, it will somehow satisfy the need of the petitioner. Therefore, this Court, without going into the merits of the case, directs the third respondent to consider the representation of the second respondent dated 19.08.2017 and take a decision thereon, within a period of four weeks from the date of receipt of a copy of this order, with regard to rendering necessary assistance to the second respondent, so as to enable them to comply with the order of the first respondent dated 31.07.2017.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collector Campus,
Tirunelveli District.
2. The District Manager,
TASMAL, Tirunelveli.
3. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
4. The Inspector of Police,
Panagudi Police Station,
Radhapuram Taluk, Tirunelveli.

+2cc to M/S. S.VINAYAK, Advocate, SR.No.75301.
+1cc to M/S. B.JAMEEL ARASU, Advocate, SR.No.75284.
+1cc to Special Government Pleader, SR.No.75353.

W.P. (MD) No.15775 of 2017
29.08.2017