

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

DATED : 23.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.15871 of 2017**

V.Seenivasan

... Petitioner

Vs.

1. The District Collector,
Trichy District,
Trichy.

2. The District Manager,
TASMAC Ltd.,
Thuvakudi,
Trichy.

3. The Inspector of Police,
Srirangam Police Station,
Srirangam, Trichy.

... Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to ensure that the order of the District Collector, Thirchirappalli in Mu.Mu.B&E3-9038-2017, dated 05.05.2017, implemented in stricto sensu by functioning the TASMAC Shop No.10295 at Ward B - T.S.No.2354/2 situated at Vellithiru Mutham, Srirangam Taluk, Trichy with sufficient police protection.

For Petitioner : Mr.A.Vadivel
For Respondents : Mr.S.Kumar,
Additional Government Pleader
for R.1 and R.3
Mr.B.Jameel Arasu for R.2

ORDER

This writ petition has been filed by the petitioner, seeking a Writ of Mandamus directing the respondents 2 & 3, to ensure compliance of the order issued by the District Collector, Trichy, dated 05.05.2017, with regard to the functioning of the TASMAC Shop No.10295 at Ward B - T.Survey No.2354/2, situated at Vellithiru Mutham, Srirangam Taluk, Trichy.



2. Mr. S. Kumar, learned Additional Government Pleader takes notice for respondents 1 & 3 and Mr. B. Jameel Arasu, learned Standing Counsel takes notice for the second respondent.

3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

4. The case of the petitioner is that the first respondent, after considering the recommendations of the second respondent in Na.Ka.No.295/2017/C.V-5 dated 04.05.2017, had passed an order dated 05.05.2017, in Mu.Mu.B&E3-9038-2017, thereby allotting a TASMACHOP shop in favour of the petitioner. It is the further case of the petitioner that due to local politicians' influence and for their personal gain in the guise of public agitation, he is unable to open the said shop and the order of the first respondent did not yield any fruitful result. Aggrieved by the same, the petitioner submitted a representation dated 18.08.2017, to all the respondents. As the said representation is kept pending, the present writ petition came to be filed, with the aforesaid prayer.

5. It is seen that though the petitioner has got the permit to run the TASMACHOP shop, on account of public agitation, he is unable to open the shop. Therefore, this Court is of the view that if the representation of the petitioner dated 18.08.2017, is disposed of by the third respondent, it will 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 petitioner dated 18.08.2017 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, so as to enable the second respondent and the petitioner, to comply with the order of the first respondent dated 05.05.2017.

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

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy.



2. The District Manager,
TASMAC Ltd.,
Thuvakudi,
Trichy.

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3. The Inspector of Police,
Srirangam Police Station,
Srirangam, Trichy.

+1cc to M/S. A.VADIVEL, Advocate, SR.No.74131.
+1cc to M/S. B.JAMEEL ARASU, Advocate, SR.No.74341.
+1cc to Special Government Pleader, SR.No.74791.

ORDER MADE IN
W.P (MD) No.15871 of 2017
23.08.2017

gk
SDS/SKN:RSK/SAR 1/01.09.2017/3P/7C