



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) No.17882 of 2017
and
W.M.P. (MD) No.14412 of 2017

S.Muniyasamy

: Petitioner

-Vs-

1. Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
Rep. by its Chairman and Managing Director,
Thalamuthu Natarajar Building,
Egmore,
Chennai-08.
2. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
Annanagar, Madurai-20.
3. The District Collector,
Collectorate Office,
Ramanathapuram District.
4. The District Manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
Sakkarakottai Village,
Near R.T.O. Office,
Ramanathapuram District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the Respondents from opening the TASMAC wine shop No.6919 at Survey No.366, Perunazhi Village, Kamuthi Taluk, Ramanathapuram District, and consequently, direct the respondents to shift the TASMAC wine shop No.6919.

For Petitioner
For Respondents 1,2,&4

: Mr.R.Venkatesan
: Mr.B.Jameel Arasu,
Standing Counsel for TASMAC
: Mr.T.R.Janarthanan,
Additional Government Pleader

For Respondent No.3

**O R D E R**

[Order of the Court was made by M.VENUGOPAL, J.]

Mr.B.Jameel Arasu, Learned Standing Counsel, takes notice for the Respondents 1,2 and 4. Mr.T.R.Janarthanan, Learned Additional Government Pleader, takes notice for the Respondent No.3.

2. Heard both sides. No counter is filed on behalf of the Respondents.

3. By consent, the main Writ Petition itself is taken up for final disposal.

4. According to the Petitioner, in his area, more than 200 families are residing and that the Respondents are planned to open a TASMACH Shop and also, there is a Maniyarappillai Oorani situated behind the proposed TASMACH Shop and there was no approval allotted to open the TASMACH Shop in Survey No.366 by the Respondents. The grievance of the Petitioner is that the representation dated 11.09.2017 was addressed to the third Respondent and higher officials. It appears that the Shop was constructed in a pathway which was used by the Petitioner and others.

5. Considering the fact that the Petitioner's detailed representation addressed to the third Respondent relating to the non-opening of TASMACH Shop in the residential area, is pending as on date, this Court, without going into the merits and contents of the representation of the Petitioner dated 11.09.2017, simpliciter, at this stage, directs the third Respondent/District Collector, Ramanathapuram District to look into the representation of the Petitioner dated 11.09.2017 and to dispose of the same on merits, within a period of six weeks from the date of receipt of copy of this order, of course, after adhering to the principles of natural justice, by issuing notice to the Petitioner and others concerned in the matter. It is open to the Petitioner to raise all factual and legal pleas before the third Respondent, who shall advert to the same at the time of passing of the orders based on the representation of the Petitioner dated 11.09.2017.

6. With the aforesaid observation(s)/direction(s), the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar



To

1. The Chairman and Managing Director,
Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
Thalamuthu Natarajar Building,
Egmore, Chennai-08.
 2. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
Annanagar, Madurai-20.
 3. The District Collector,
Collectorate Office,
Ramanathapuram District.
 4. The District Manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
Sakkarakottai Village,
Near R.T.O. Office,
Ramanathapuram District.
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 82995
+ 1 CC TO Mr.T.THIRUMURUGAN, ADVOCATE IN SR No. 82992
+ 1 CC TO Mr.B.JAMEEL ARASU, ADVOCATE IN SR No. 83128

SML

TE/MR-KKR/SAR-II : 30/10/2017 : 3P/8C

Order made in
W.P. (MD) No. 17882 of 2017 and
W.M.P. (MD) No. 14412 of 2017
Dated: 13.10.2017