



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.19020 of 2017

M.Mathiyalagan

... Petitioner

-vs-

1. The District Collector,
Thanjavur District.2. The District Manager,
TASMAC, Thanjavur,
Thanjavur District.

3.P.L.Murugesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 26.08.17 and open the TASMAC Shop No.8075 in the petitioner's property in S.No.759/3 in Periyakottaikadu Village, Venkarai Panchayat, Orathanadu Taluk, Thanjavur District, by implementing the order of the 1st respondent dated 21.08.2017 within the time fixed by this Honble Court.

For Petitioner : Mr.E.Balasubramanian
For R1 : Mr.M.Alagathevan
Spl. Govt. Pleader
For R2 : Mr.H.Arumugam

ORDER

This writ petition has been filed, seeking a direction to the 2nd respondent to consider the petitioner's representation dated 26.08.17 and open the TASMAC Shop No.8075 in the petitioner's property in S.No.759/3 in Periyakottaikadu Village, Venkarai Panchayat, Orathanadu Taluk, Thanjavur District, by implementing the order of the 1st respondent dated 21.08.2017.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 & 2. By consent on either side, the writ petition itself is taken up for disposal at the admission stage. Notice to R3 is dispensed with, as no adverse order is passed against him in this



petition.

3. The case of the petitioner is that he had constructed a shop in his property and rented out the same to the 2nd respondent for the purpose of establishing a TASMAL Shop No.8075. Though the 1st respondent has duly granted permission on 21.08.2017 for opening the shop in the said property, pursuant to the objection raised by the 3rd respondent, the 2nd respondent has not taken any steps to open the shop. The petitioner has submitted a representation dated 26.08.2017 to the 2nd respondent in this regard and since the same has not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Special Government Pleader would submit that if a reasonable time is granted to the 2nd respondent, the representation of the petitioner will be considered and suitable orders passed for implementation of the order of the 1st respondent.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the 2nd respondent to consider the representation of the petitioner dated 26.08.2017 and pass appropriate orders with regard to implementation of the order of the 1st respondent dated 21.08.2017 on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Thanjavur District.

2. The District Manager,
TASMAL, Thanjavur,
Thanjavur District.

+1cc to Mr.H.ARUMUGAM, Advocate, SR. 82717

+1cc to Mr.E.BALASUBRAMANIAN, Advocate, SR.82481

+1cc to M/S.Special Government Pleader, SR. 82814

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