



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.11.2017

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) No.20234 of 2017

WEB COPY

A.K.Selvarajan

... Petitioner

vs.

1.The District Collector,
Theni.

2.The Assistant Commissioner,
(Excise), Theni.

3.The District Manager,
TASMAC, Theni.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent herein to grant approval for locating Shop No.8611 and attached Bar in the petitioner's rented premises in Door No.1058 Aranmanaipettai, Behind Nehru Statue, Theni Taluk and District as per written consent rental agreement dated 02.09.2017 and recommendation of 3rd respondent in Na.Ka.No.8611/2017/A3 dated 15.09.2017.

For Petitioner : Mr.A.Mithun Chakravarthi

For RR - 1 & 2 : Mr.M.Alagathevan
Special Government Pleader

For R - 3 : Mr.B.Jameel Arasu

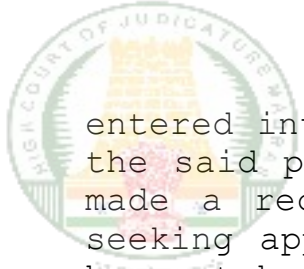
O R D E R

This writ petition has been filed seeking direction to the first respondent to grant approval for locating shop No.8611 and attached bar in the petitioner's rented premises in Door No.1058, Aranmanaipettai, behind Nehru Statue, Theni District, as per rental agreement dated 02.09.2017 and recommendation of the third respondent dated 15.09.2017 in Na.Ka.No.8611/2017/A3.

2.Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned standing counsel for the third respondent.

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

3.According to the petitioner, the third respondent has



entered into a rental agreement with him on 02.09.2017 to rent out the said premises to run a liquor shop. The third respondent also made a recommendation dated 15.09.2017 to the first respondent, seeking approval to occupy the petitioner's premises and the same has not been considered so far. Hence, the third respondent is not in a position to occupy the rental premises of the petitioner, even after commencement of rental period. Therefore, the petitioner is before this Court with the above prayer.

4.The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that if a reasonable time is granted to the first respondent, the representation of the petitioner will be considered and appropriate orders will be passed.

5.In view of the said submission, this Court, without going into the merits of the matter, directs the first respondent to consider the recommendation of the third respondent dated 15.09.2017 in Na.Ka.No.8611/2017/A3 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition is disposed of . No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Theni.

2.The Assistant Commissioner,
(Excise), Theni.

3.The District Manager,
TASMAC,Theni.

+1cc to Mr.B.JAMEEL ARASU,Advocate,SR. 88852

+1cc to M/S.Special Government Pleader,SR. 89060

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MJ

KK/SV MMS/SAR 4/06.12.2017/ 2P- 6C