



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.20957 of 2017

A.Ganesan

... Petitioner

Vs.

1.TASMAC Ltd,
Rep.by its Managing Director,
4th Floor, CMDA Tower - II,
Egmore, Chennai - 600 008.

2.The District Manager,
TASMAC Ltd,
Plot No.C104,
SIPCOT Complex,
Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 2nd respondent to refund the caution deposit of Rs.1,07,300/- collected from the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.R.Subramanian
For Respondents : Mr.B.Jameel Arasu

ORDER

This writ petition has been filed, seeking a writ of Mandamus directing the 2nd respondent to refund the caution deposit of Rs.1,07,300/- collected from the petitioner within a time frame fixed by this Court.

2.Heard both sides.

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

4.The learned counsel for the petitioner would submit that the petitioner being the successful bidder in the tender invited by the second respondent during the year 2014, in respect of the TASMAC No.10105, had deposited the caution deposit and deposit amount and as such, he was doing his business as per the tender conditions in the said shop. But, all of a sudden the said TASMAC shop was closed by the respondents, before the expiry of the licence period. Hence, the petitioner approached the authorities



by way of representations to refund the amounts deposited by the petitioner. All the steps taken by the petitioner for getting back the amounts deposited by him ended vain. Therefore the petitioner is before this Court.

5. The learned Counsel appearing for the respondents, on instructions, submitted that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

6. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondents to consider claim of the petitioner and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
4th Floor, CMDA Tower - II,
Egmore, Chennai - 600 008.

2. The District Manager,
TASMAC Ltd,
Plot No. C104,
SIPCOT Complex,
Thoothukudi.

+1cc to M/S.R.Subramanian, Advocate SR.No. 91705
+1cc to M/S.B.Jameel Arasu, Advocate SR.No. 91609

ORDER MADE IN
W.P (MD) No. 20957 of 2017
07.12.2017

DSK

JM/MR KKR/SAR 1/19.12.2017/2P/5C