



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.21742 of 2017

K.Kaja Moahmmed

... Petitioner

vs.

1. The District Collector,
Madurai District,
Madurai.
2. The District Manager of TASMAL,
Madurai District.
3. TASMAL shop (No.5018),
Melur Main Road,
near ICICI Bank,
K.K.Nagar,
Madurai - 625 020.

(Respondents 2 and 3 impleaded
vide order dated 11.12.2017
in CMP(MD) No.18313 of 2017)

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondent to shift the TASMAL shop No.5018 situated on the Melur main road near ICICI bank, K.K.Nagar, Madurai 625020 to any other suitable place by considering the petitioner's representation dated 02.11.2017 within the period as stipulated by this Court.

For Petitioner	: Mr.A.Haja Mohideen
For R1	: Mr.J.Gunaseelan Muthiah Government Advocate
For R2 & R3	: Mr.H.Arumugam

O R D E R

This writ petition has been filed seeking a direction to the first respondent to shift the TASMAL shop No.5018, situated on Melur main road, near ICICI bank, K.K.Nagar, Madurai 625020 to any other suitable place by considering the petitioner's representation dated 31.10.2017.



2.The case of the petitioner is that the said TASMAL shop is situated adjacent to his house and the customers of the said shop are causing inconvenience to his family and also to the general public. Hence, the petitioner has given a representation dated 31.10.2017 to the first respondent to shift the said TASMAL shop to any other suitable place. Since no action has been taken so far by the first respondent, the petitioner is before this Court with the above stated prayer.

3.Heard the learned counsel appearing for the petitioner, learned Government Advocate for the first respondent and the learned counsel for the respondents 2 and 3.

4.Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 31.10.2017 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and all the interested parties.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Madurai District,
Madurai.

+1cc to Mr.H.Arumugam, Advocate Sr.No.92861
+1cc to Mr.A.Haja Mohideen, Advocate Sr.No.92028
+1cc to Spl.Government Pleader Sr.No.92476

MJ

VB/SV/MMS/SAR4/05/01/2018/2P/5C

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