



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.22906 of 2017

Gandhimathi

... Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.

2. The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Madurai (South),
Kappalur, Madurai,
Madurai District.

3. The Divisional Officer (Excise),
Madurai South, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents 1 & 2 to establish and open the TASMAC retail shop No.5517 at Door No.5/520B, Survey No.184/1A2 of K.Vellakulam village, Thirumangalam Taluk, Madurai District by considering the representation given by the petitioner dated 20.11.2017.

For Petitioner : Mr.N.Sathish Babu
For Respondents : Mr.M.Alagathevan,
Special Government Pleader
for R.1 & R.3
Mr.H.Arumugam for R.2

O R D E R

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

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for respondents 1 & 3. Mr.H.Arumugam, learned Counsel, takes notice for the second respondent.

3. According to the petitioner, the property in Survey No.184/1A2 belongs to her and the second respondent authorities had approached her for opening the TASMAC Retail Shop No.5517 in her patta land, since there is a temple within the vicinity of its



earlier location. Based on the assurance given by the authorities, the petitioner has constructed a building for running the TASMAR Retail Shop No.5517. It is her grievance that despite the construction works had completed, the authorities are not executing necessary deeds and are not opening the Retail shop, as promised. Aggrieved over the same, the petitioner has submitted a representation dated 20.11.2017, before the respondents, narrating all the events and as the same is kept pending, without any action, she is before this Court.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if her representation dated 20.11.2017 is disposed of by the respondents 1 & 2, on merits.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the respondents, more particularly, respondents 1 & 2, to consider the representation of the petitioner dated 20.11.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai.
 2. The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Madurai (South), Kappalur, Madurai,
Madurai District.
 3. The Divisional Officer (Excise),
Madurai South, Madurai.
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 93140
+ 1 CC TO Mr.H.ARUMUGAM, ADVOCATE IN SR No. 93039
+ 1 CC TO Mr.N.SATHISH BABU, ADVOCATE IN SR No. 92683

GK