

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2018

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.5307 to 5309 of 2018

P.Arunkumar .. Petitioner in W.P.No.5307/2018  
A.Muralidharan .. Petitioner in W.P.No.5308/2018  
T.K.Rajasivaprakash ... Petitioner in W.P.No.5309/2018

v.

1. The Tamil Nadu State Marketing Corporation Ltd.  
Rep. by its Managing Director  
Thalamuthu Natarajan Maaligai  
Gandhi Irwin Road  
Egmore, Chennai - 600 008.
2. The Senior Regional Manager  
The Tamil Nadu State Marketing Corporation Ltd.  
LLA Building, Anna Salai  
Chennai - 600 002,
3. The District Manager  
TASMAC Ltd., Chennai (Central) District  
B-4, Ambattur Industrial Estate  
Ambattur  
Chennai - 600 058 .. Respondents

W.P.No.5307/2018 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to collect EMD amount for the petitioner's bar attached TASMAC Shop No.463, situated at Door No.190, Jawaharlal Nehru Road, Arumbakkam, Chennai - 600 106 at the rate of 3% to 80% of actual sales of the shop as the upset price per month based on the petitioner's representation dated 28.02.2018.

W.P.No.5308/2018 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to collect EMD amount for the petitioner's bar attached TASMAC Shop No.480, situated at Door No.13/3, Whanels Road, Egmore, Chennai - 600 008 at the rate of 3% to 80% of actual sales of the shop as the upset price per month based on the petitioner's representation dated 28.02.2018.

W.P.No.5309/2018 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to collect EMD amount for the petitioner's bar attached TASMAC Shop

No.416, situated at Door No.12, B.K. 55, Jawaharlal Nehru Road, Koyambedu, Chennai - 600 107 at the rate of 3% to 80% of actual sales of the shop as the upset price per month based on the petitioner's representation dated 28.02.2018.

For Petitioners : Mr.M.Saravana Kumar

For Respondents : Mr.K.Sathish Kumar  
Standing Counsel for TASMAC

#### COMMON ORDER

Mr.K.Sathish Kumar, learned Standing Counsel takes notice for the respondents. By consent, the main writ petitions are taken up for disposal at the admission stage itself.

2. The petitioners have filed the above writ petitions to issue a Writs of Mandamus directing the respondents to collect EMD amount for their bar attached viz.,

(i) TASMAC Shop No.463, situated at Door No.190, Jawaharlal Nehru Road, Arumbakkam, Chennai - 600 106;

(ii) TASMAC Shop No.480, situated at Door No.13/3, Whanels Road, Egmore, Chennai - 600 008; and

(iii) TASMAC Shop No.416, situated at Door No.12, B.K. 55, Jawaharlal Nehru Road, Koyambedu, Chennai - 600 107

at the rate of 3% to 80% of actual sales of the shops as the upset price per month based on their representations dated 28.02.2018.

3. The learned counsel appearing for the petitioner submitted that it would be suffice to direct the 3rd respondent to consider the petitioners' representation dated 28.02.2018 and pass orders, in accordance with law, within a time frame.

4. Mr.K.Sathish Kumar learned Standing Counsel appearing for the respondents submitted that the 3rd respondent may be directed to consider the petitioners' representation dated 28.02.2018 and pass orders, in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 3rd respondent to consider the petitioners' representation dated 28.02.2018, and pass 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.

With this observation, the writ petitions are disposed of.  
No costs.

Sd/  
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Managing Director  
Tamil Nadu State Marketing Corporation Ltd.  
Thalamuthu Natarajan Maaligai  
Gandhi Irwin Road  
Egmore, Chennai - 600 008.
  2. The Senior Regional Manager  
The Tamil Nadu State Marketing Corporation Ltd.  
LLA Building, Anna Salai  
Chennai - 600 002,
  3. The District Manager  
TASMAC Ltd., Chennai (Central) District  
B-4, Ambattur Industrial Estate  
Ambattur, Chennai - 600 058.
- +3cc to Mr.M.Saravanakumar, Advocate SR.Nos.1868 to 1870  
+1cc to Mr.K.Sathishkumar Advocate SR.No.18313

SDR 22.03.2018

W.P.No.5307 to 5309 of 2018

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