

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2018

CORAM

THE HON'BLE MR. JUSTICE T.S.SIVAGNANAM

W.P.Nos.3507 & 3524 of 2018 &

W.M.P. Nos.4283 & 4304 of 2018

N.Karthikeyan
K.Harikrishnan

...Petitioner in W.P.No.3507/2018

...Petitioner in W.P.No.3524/2018

v.

1 The Managing Director
TASMAC
Thalamuthu Natarajar Maligai
Egmore, Chennai

2 The District Manager
TASMAC
No.59A, Chennai Trunk Road
Villupuram, Villupuram District

...Respondents in both WPs

W.P.No.3507/2018 : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to extend the benefits in respect of the License Fee as per the Policy reflected in the Paper Publication Dinamani - Villupuram Edition dated 08.02.2018 to that of the petitioner's Outlet attached to Shop No.11755 @ Munivaazhai Road, Rishivnadhiyam, Sankarapuram, Villupuram District vide representation dated 10.02.2018.

W.P.No.3524/2018 : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to extend the benefits in respect of the License Fee as per the Policy reflected in the Paper Publication Dinamani - Villupuram Edition dated 08.02.2018 to that of the petitioner's Outlet attached to Shop No.11470 @ Munivaazhai Road, Rishivnadhiyam, Sankarapuram, Villupuram District vide representation dated 10.02.2018.

For Petitioners : Mr.AR.M.Arunachalam

For Respondents : Mr.B.Nedunchezian

COMMON ORDER

Heard Mr.AR.M.Arunachalam, learned counsel appearing for the petitioner and Mr.B.Nedunchezian, learned Standing Counsel for the respondents.

2. The petitioners seek for a reduction in License Fee to sell eatables and collect empty bottles in the Bar attached to the TASMAL retail vending Shop Nos.11755 and 11470 @ Munivaazhai Road, Rishivnadhiyam, Sankarapuram, Villupuram District, as per the Policy reflected in the Paper Publication Dinamani - Villupuram Edition, dated 08.02.2018.

3. It is not in dispute that the petitioners were granted license during November/December 2017. The reason for seeking such a relief from the respondents is on the ground that other neighbouring licensees have been granted at lesser rate to the extent of 30% less than the original license fee, which was fixed by TASMAC.

4. In this regard, learned counsel for the petitioners would submit that there is an unhealthy competition and the petitioners' alone are prejudiced on account of the high license fee.

5. The learned Standing Counsel for the respondents submits that the condition of the license are clear and at this juncture the reduction fee does not arise.

6. It appears that, in respect of other licensees the TASMAC themselves took a policy decision to reduce the fee. At this juncture, the question of granting positive relief to the petitioners does not arise, since the petitioners' representation is pending before the respondent.

7. In the light of the above, the writ petitions are disposed of by directing the 1st respondent to consider the petitioners' representation dated 10.02.2018 and pass orders, on merits and in accordance with law, within a period of two weeks, from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

06.12.2017

Index : Yes/No

Note : Issue order copy by 16.04.2018

Rj

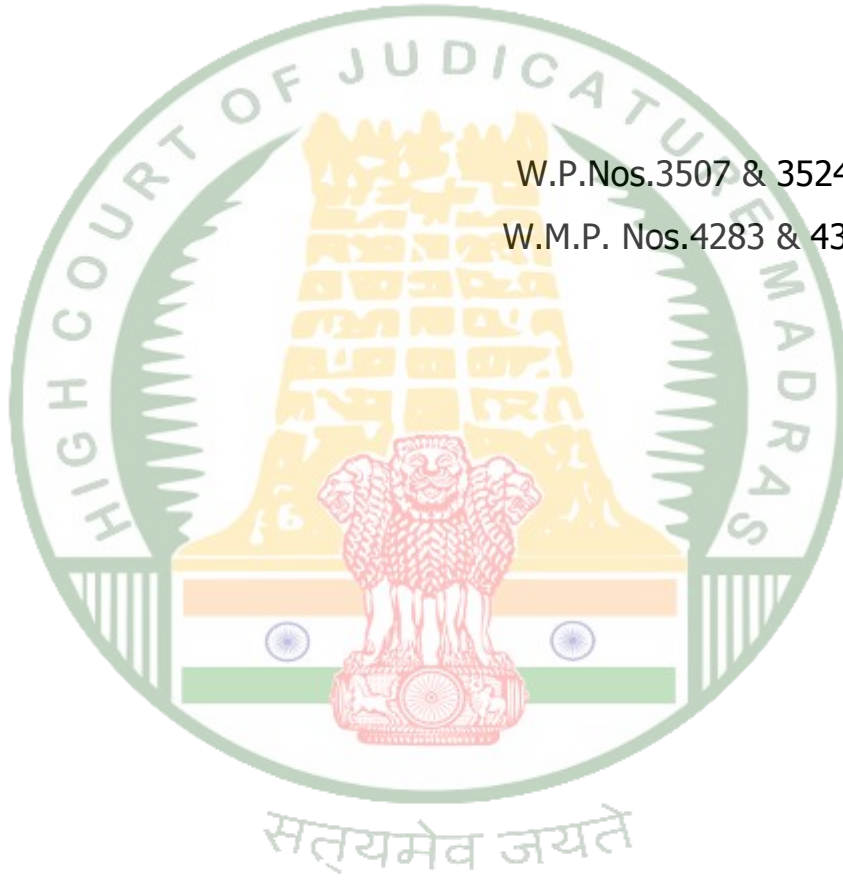
To

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T.S.SIVAGNANAM,J

Rj



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