

In the High Court of Judicature at Madras

Dated : 01.2.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.2146 of 2018 & WMP.No.2670 of 2018

S.Kalaithendral

...Petitioner

Vs

1.The Managing Director, Tamil Nadu
State Marketing Corporation Ltd.
(TASMAC), Thalamuthu Natarajan
Maligai, 4th Floor, CMDA Building,
Egmore, Chennai-8.

2.The District Collector, Thirvallur
District, Thiruvallur.

3.The Senior Regional Manager,
Office of the TASMAC, LLA Building,
Anna Salai, Chennai-6.

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
respondents to consider the petitioner's representation dated
20.1.2018 and forbearing the respondents from in any way opening
the TASMAC bar and outlet in door No.63, Trunk Road, Poonamallee
High Road, Poonamallee, which is very adjacent to Poonamallee
Integrated Court Complex.

For Petitioner : Mr.B.Vijay Anand
For Respondents 1 & 3 : Mr.J.Arumugha Rajan
For Respondent-2 : Mr.J.Pothiraj, SGP

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ORDER

Mr.Arumugha Rajan, learned Standing Counsel accepts notice
for respondents 1 and 3. Mr.J.Pothiraj, learned Special
Government Pleader accepts notice for the second respondent.
Heard both. By consent, the writ petition itself is taken up for
final disposal.

2. Claiming to be a resident of Poonamallee, the petitioner
is before this Court by way of this writ petition objecting to

the proposed location of a TASMAC shop with bar attached at door No.63, Trunk Road, Poonamallee High Road, Poonamallee.

3. A representation dated 20.1.2018 has been sent to the respondents and it is stated the same is pending consideration before the respondents and in the meantime, effective steps are taken by the third respondent to locate the shop in the proposed site. In page 5 of the typed set of papers, photographs have been enclosed, which show that the proposed shop is virtually abutting the combined court buildings housing various courts at Poonamallee. Apart from that, it is stated that the next premises is the bus terminus.

4. Thus, if the facts mentioned by the petitioner are correct, then it will not be conducive to locate the TASMAC shop with bar attached in the proposed location, as it would be detrimental not only to the public in that area, but also to litigants and advocates, who come to court and the traveling public.

5. Hence, the writ petition is disposed of with a direction to the second respondent to consider the representation of the petitioner dated 20.1.2018, direct one of his officers to conduct an inspection of the proposed site and take a pragmatic decision bearing in mind the welfare of the public. The second respondent is directed to take a decision within a period of 12 weeks from the date of receipt of the copy of this order. Till orders are passed by the second respondent, the TASMAC retail vending shop and the bar shall not be located in the proposed site. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.
(TASMAC), Thalamuthu Natarajan Maligai,
4th Floor, CMDA Building,
Egmore, Chennai-8.

2.The District Collector,
Thirvallur District,
Thiruvallur.

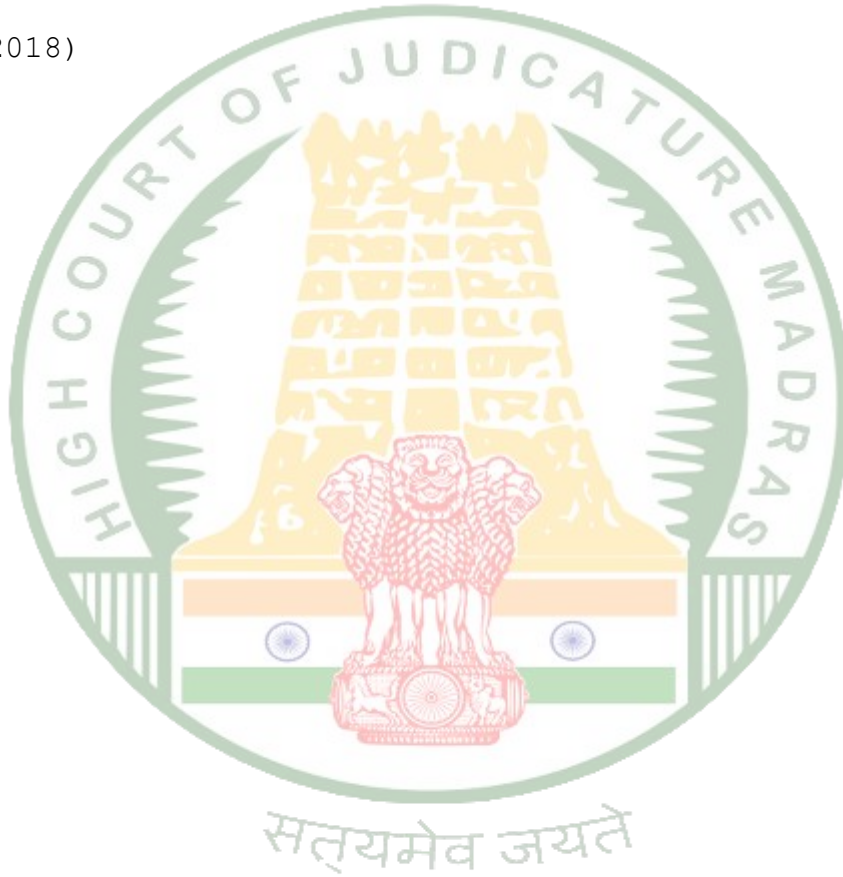
3.The Senior Regional Manager,
Office of the TASMAL, LLA Building,
Anna Salai, Chennai-6.

+1cc to Mr.P.Arumugarajan, Advocate SR.No.7522
+1cc to Mr.E.Vijay Anand, Advocate SR.No.7322
+1cc to Government Pleader SR.No.7999

RS

WP.No.2146 of 2018&
WMP.No.2670 of 2018

GN (21/02/2018)



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