

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.09.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.12740 of 2018
and
W.M.P.No.14928 of 2018

T.V.Subramani ...Petitioner
vs.

1.The Collector,
Vellore District,
Vellore - 632 009.

2.The District Manager,
Tamilnadu State Marketing
Corporation Ltd., (TASMAC),
No.1, Katpadi Road,
Vellore - 632 001.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Prohibition, prohibiting the 2nd respondent from opening TASMAC shop at Kaliwarthangal-Thiruvalam Road.

For Petitioner : Mr.T.Karkkivelan
for Mr.S.T.Varadarajulu.

For R1 : Mr.S.Kamalesh Kannan,
Government Advocate.

For R2 : Mr.P.Arumugarajan
Standing Counsel (TASMAC)

ORDER

(Order of the Court was made by S.MANIKUMAR, J)

Apprehending that a TASMAC shop would be located in a house built and allotted under the Prime Minister Avaz Yojana Housing Scheme, and that there is likelihood of infringement of fundamental rights, petitioner is stated to have sent a representation to the District Collector, Vellore District, respondent No.1, and followed by another representation dated 10.05.2018 to the District Collector, Vellore and District Manager, TASMAC, Vellore, not to open the shop, in the said

house at Kaliwarthangal Village-Thiruvalam Road, Vellore District.

2. Responding to the Court notice dated 23.05.2018, Mr.P.Arumugarajan, learned Standing Counsel (TASMAC)/second respondent herein, submitted that there is no proposal to locate any TASMAC shop, at the abovesaid address. Submission is placed on record.

3. Having regard to the above, no mandamus need be issued.

4. We make it clear that houses allotted under the Prime Minister Avaz Yojana Housing Scheme, primarily a residential scheme, with the object to provide houses to poor needy, should not be permitted to convert be into TASMAC shop.

5. Writ petition is disposed of accordingly. No Costs. Consequently, the connected writ miscellaneous petition is closed.

dm

Sd/-

Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

To

1.The Collector,
Vellore District,
Vellore - 632 009.

2.The District Manager,
Tamilnadu State Marketing
Corporation Ltd., (TASMAC),
No.1, Katpadi Road,
Vellore - 632 001.

+ 1 cc to Mr.S.T.Varadarajul, Advocate SR 63233

+ 1 cc to Mr.P.Arumugarajan, Standing Counsel (TASMAC)
Advocate SR 63375

KR/10/10/18

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