

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2018

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.15913 of 2018 &

WMP.No.18904 of 2018

C.Murugan

.. Petitioner

v.

1. The District Collector,
Kancheepuram District
Kancheepuram.

2. The District Manager,
Kancheepuram (South),
TASMAC Limited
Kancheepuram District
Kancheepuram.

3. Self Help Group of Thazhambur Panchayat,
Rep.by its President,
Mrs.M.Saroja

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents 1 and 2 to open the TASMAC Shop No.4337 at No.3/11, Ambedkar Street, Karanai Village, Kancheepuram District.

For Petitioner: Mr.K.Selvaraj

For Respondents: Mr.R.P.Prathap Singh
Govt. Advocate - for R1 & R2

ORDER

Heard Mr.K.Selvaraj, learned counsel appearing for the petitioner and Mr.R.P.Prathap Singh, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2.

2. The petitioner seeks for a direction to the respondent/ TASMAC to open the TASMAC Retail Shop and the Bar attached to at TASMAC Shop No.4337, at No.3/11, Ambedkar Street, Karanai Village, Kancheepuram District.

3. The shop has been subject matter of several round of litigation before this Court, where the public of the area/3rd respondent-Association in the locality have raised objections . On two occasions, the Court had directed the Revenue to cause inspection of the shop and to submit report. In the second round of litigation, when the matter came up for hearing before the Division Bench in W.P.No.18595 of 2017 on 08.12.2017, the respondent-TASMAL reported that the shop has been closed. The same was recorded and the writ petition was dismissed.

4. Now, the petitioner is before this court stating that he has invested several thousands of Rupees in establishing the outlet and he put to financial loss and seeks for opening the shop. When the shop has been closed, the question of issuing a direction to the respondent does not arise, more so, when there is objection by the respondents of the area as well as Self Help Groups. Therefore, it is for the petitioner to question the decision of the TASMAL closing the shop, for which, it is open to the petitioner to approach the authority and seek for copy of the order which was passed closing the shop.

With the above observations, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The District Collector,
Kancheepuram District
Kancheepuram.

2. The District Manager,
Kancheepuram (South),
TASMAL Limited
Kancheepuram District
Kancheepuram.

+1cc to Mr.K.SELVARAJ, Advocate, S.R.No.241318/18

+1cc to Mr.P.ARUMUGA RAJAN , Advocate, S.R.No.41293/18

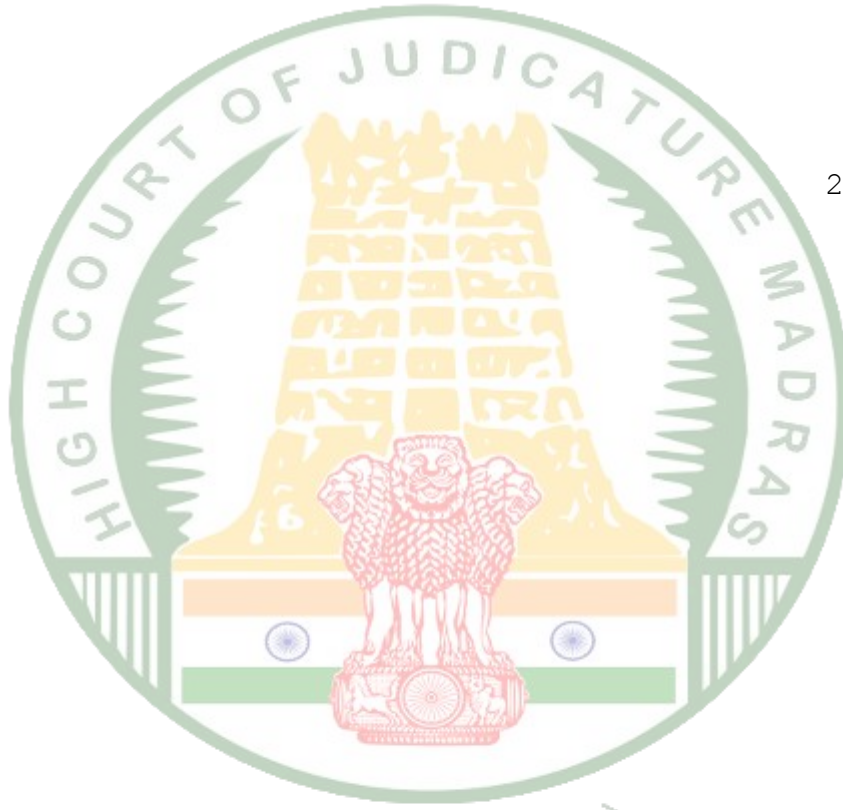
+1cc to the Government Pleader, S.R.No.41890/18

W.P.No.15913 of 2018 &
WMP.No.18904 of 2018

(CO) SR

<https://hcservices.ecourts.gov.in/hcservices/>

ASR(11/07/2018)



28.06.2018

सत्यमेव जयते

WEB COPY