

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.11.2018

CORAM
THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.28907 of 2018
in
W.M.P.No.33772 of 2018

S.Mani

..Petitioner

vs.

1.The District Collector
Tirupur District, Palladam Road,
Tirupur-4.

2.The Superintendent of Police
Tirupur District
Angeripalayam Road, Tirupur-3.

3.The District Manager
Tirupur District
TASMAC Head Office
Angeripalayam Road, Tirupur-3.

4.The Inspector of Police
Kundadam Police Station
Kundadam, Dharapuram Taluk
Tirupur District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 3 to remove the TASMAC Shop No.3455 situated opposite to bus stand in Pudhunavakombu Village, Dharapuram Taluk, Tirupur District and or some other place in the village.

For Petitioner : Mr.Pitty Parthasarathy

For Respondents : Mr.K.Sathish Kumar
standing counsel for R3
Mr.N.Inbanathan
Additional Government Pleader
for R1, R2 & R4

O R D E R

Mr.N.Inbanathan, learned Additional Government Pleader takes notice for R1, R2 & R4. Mr.K.Sathish Kumar, learned standing counsel takes notice for R3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus directing the respondents 1 and 3 to remove the TASMAC Shop No.3455 situated opposite to bus stand in Pudhunavakombu Village, Dharapuram Taluk, Tirupur District.

3. Heard both sides.

4. It is seen that the petitioner has already made a representation dated 16.07.2018 opposing for the location of the TASMAC Shop No.3455.

5. The very same petitioner earlier has approached this Court and filed WP.No.20150 of 2018 seeking for mandamus forbearing the respondents 1 and 3 from erecting or relocating the TASMAC Shop No.3455 opposite to bus stand situated in Pudhunavakombu Village or some other place in the Village. However, when the above said writ petition was taken up for hearing, it was represented that the said shop was already located in the disputed site. Therefore, the petitioner sought liberty to file appropriate petition before appropriate forum. Granting such liberty, the said writ petition was dismissed as infructuous.

6. Thereafter, the present writ petition is filed seeking for the same relief as stated supra. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the same. Therefore, this writ petition is disposed of, by directing the first respondent to consider the representation made by the petitioner dated 16.07.2018 and pass orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Collector
Tirupur District, Palladam Road,
Tirupur-4.

2.The Superintendent of Police
Tirupur District
Angeripalayam Road, Tirupur-3.

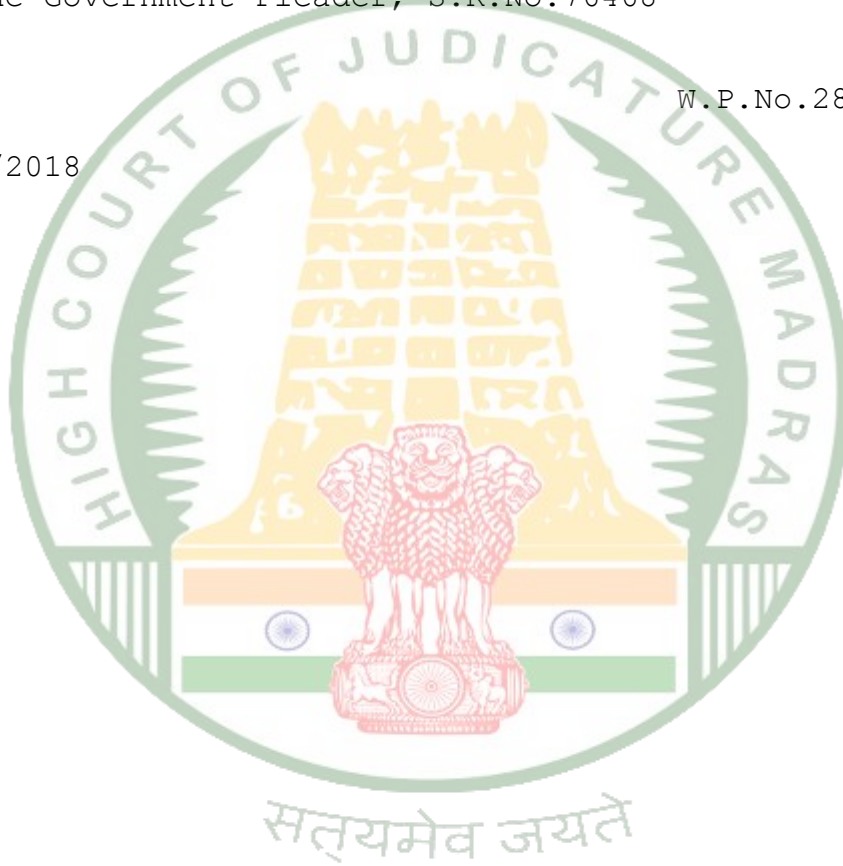
3.The District Manager
Tirupur District
TASMAC Head Office
Angeripalayam Road, Tirupur-3.

4.The Inspector of Police
Kundadam Police Station
Kundadam, Dharapuram Taluk
Tirupur District.

+lcc to Mr.Pitty Parthasarathy, Advocate, S.R.No.75836
+lcc to Mr.K.Sathish Kumar, Advocate, S.R.No.75621
+lcc to the Government Pleader, S.R.No.76468

W.P.No.28907 of 2018

rrs 22/11/2018



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