

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No. 26678 of 2018
in
W.M.P.No. 31054 of 2018

S.Shakbeer, ..Petitioner
vs.

1. The Managing Director,
Tamilnadu State Marketing Corporation,
Egmore, Chennai - 8.
2. The Regional Manager,
Tamilnadu State Marketing Corporation,
303, Chindamani Godown,
Peelamedu, Railway Station Backside,
Vilangkurichi Salai, Coimbatore - 14.
3. The District Collector
Coimbatore District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents nos. 1 to 3 from proceeding further with commissioning of new TASMAL wine shop at Gandhipuram 5th Street, Crosscut Road, Coimbatore.

For Petitioner : Mr.T.Sundaravadanam
For Respondents : Mr.K.Sathish Kumar
Standing Counsel for R1 & R2
Mr.N.Inbanathan
Additional Government Pleader for R3

WEB COPY
O R D E R

Mr.K.Sathish Kumar takes notice for the first and second respondents. Mr.N.Inbanathan, learned Additional Government Pleader takes notice for the third respondent.

2. The petitioner seeks for mandamus forbearing the respondents no.s 1 to 3 from proceeding further with

commissioning of new TASMAC wine shop at Gandhipuram 5th street, Crosscut Road, Coimbatore.

3. It is the grievance of the petitioner that the proposed location of the TASMAC shop at the disputed site would cause hindrance to the public, apart from the fact that such location is also opposed to the distance rule. Ventilating such grievance, the petitioner has already filed a representation before the respondents on 16.08.2018. Therefore, it is for the respondents, more particularly, the second respondent to consider such representation and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner and also by making local inspection.

4. Therefore, without expressing any view on the merits of the contentions raised by the petitioner, this writ petition is disposed of by directing the second respondent to consider the said representation of the petitioner and pass orders on the same on merits and in accordance with law after giving due opportunity of hearing to the petitioner and also by making local inspection within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

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Vilangkurichi Salai, Coimbatore - 14.
3. The District Collector
Coimbatore District.

+1 CC TO GOVERNMENT PLEADER SR.NO. 71458

+1cc to Mr.T.Sundaravadanam , Advocate SR.No. 71536

+1cc to Mr.K.Sathish Kumar , Advocate SR.No. 71232

W.P.No. 26678 of 2018

ASK(30/10/2018)