

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.29464 of 2018

R.Manisha Preeth

... Petitioner

vs.

1. The Tamil Nadu State Marketing Corporation Limited (TASMAC Ltd)  
Rep. by its Chairman  
Secretariat, Fort St.George,  
Chennai-600 009.
2. The Senior Regional Manager  
TASMAC Ltd.,  
LLA Building, Mount Road,  
Chennai-600 008.
3. The Managing Director  
TASMAC Ltd.,  
4th Floor, CMDA Tower-II,  
IVth Floor, Gandhi Irwin Bridge Road,  
Egmore, Chennai-600 008.
4. The District Manager, Chennai (North)  
IMFS Depot, TASMAC Ltd.,  
TASCO Unit, B-4 Flats, Industrial Estate  
Ambattur, Chennai.

..Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 22.04.2015 along with the follow up reminders dated 04.12.2015, 04.02.2016, 14.09.2016 made for vacating the IMFL Shop in respect of TASMAC Shop No.40, situated at Door No.638/2, T.H.Road Tondiarpet, Chennai-81 and further directed the respondents to pay the arrears of rent due to the petitioner from the 3rd respondent and to dispose of the same in accordance with law.

For Petitioner : Mr.D.Kanagasundaram  
For Respondents : Mr.P.Arumugarajan  
standing counsel

O R D E R

Mr.P.Arumugarajan, learned standing counsel takes notice for the respondents. 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 herein to consider the petitioner's representation dated 22.04.2015 along with the follow up reminders dated 04.12.2015, 04.02.2016, 14.09.2016 made for vacating the IMFL Shop in respect of TASMAL Shop No.40, situated at Door No.638/2, T.H.Road Tondiarpet, Chennai-81 and further directing the respondents to pay the arrears of rent due to the petitioner from the 3rd respondent and to dispose of the same in accordance with law.

3. The grievance of the petitioner against the respondents is as follows.

The respondents having taken the property belonging to the petitioner to run a Tasmal Shop, by entering into the lease agreement dated 04.08.2005, has defaulted in payment of rent and also failed to vacate the premises in spite of his repeated representations. As on today, a sum of Rs.4,77,866/- is payable by the respondents towards the rental arrears.

4. 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 fourth respondent to consider and decide. Accordingly, this writ petition is disposed of, only with a direction to the fourth respondent to consider the representation of the petitioner dated 22.04.2015 and the reminder letters dated 04.12.2015, 04.02.2016 and 14.09.2016 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Chairman,  
Tamil Nadu State Marketing Corporation  
Limited (TASMAC Ltd)

Secretariat, Fort St.George,  
Chennai-600 009.

2. The Senior Regional Manager  
TASMAC Ltd.,  
LLA Building, Mount Road,  
Chennai-600 008.

3. The Managing Director  
TASMAC Ltd.,  
4th Floor, CMDA Tower-II,  
IVth Floor, Gandhi Irwin Bridge Road,  
Egmore, Chennai-600 008.

4. The District Manager, Chennai (North)  
IMFS Depot, TASMAC Ltd.,  
TASCO Unit, B-4 Flats, Industrial Estate  
Ambattur, Chennai.

+1cc to Mr.D.Kanagasundaram, advocate sr.no.77545

+1cc to Mr.P.Arumugarajan, Advocate sr.no.77555

WP. No.29464 of 2018

nr 03/12/2018

सत्यमेव जयते

WEB COPY