

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.31751 & 31753 of 2018

S.Anandhan ...Petitioner in W.P.No.31751 of 2018

K.Senthilkumar ...Petitioner in W.P.No.31753 of 2018

vs.

The Tamil Nadu State
Marketing Corporation Ltd., (TASMAC)
Rep. by its District Manager,
Chennai (South) District,
B-4, Ambattur Industrial Estate,
Chennai - 600058.

...Respondent in both the W.Ps

Common Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to forthwith consider and pass orders on the representation of the petitioner dated 15.11.2018 for reducing the Licence fee for the petitioner for the month of October 2018 by taking into account of the actual sales in the Shop No.969 and 959 in the previous months of June, July and August 2018.

For Petitioner : Mr.K.Selvaraj
(in both W.Ps)

For Respondent : Mr.P.Arumugarajan
Standing Counsel
(in both W.Ps)

C O M M O N O R D E R

The petitioners seek for a mandamus directing the respondent to consider and pass orders on the representation dated 15.11.2018 for reducing the Licence fee for the month of October 2018 by taking into account of the actual sales in the Shop No.969 in the previous months of June, July and August 2018.

2. The learned counsel for the respondent submitted that the petitioner is not entitled for reducing the licence fee for the month of October 2018 and on the other hand, he is bound to pay the licence fee as per the terms of the contract. However, it is admitted that no such order is passed by the respondent and communicated to the petitioner.

3. The learned counsel for the respondent submitted that an order shall be passed on the representation of the petitioners and the same will be communicated to them.

4. Accordingly, both these Writ petitions are disposed of by directing the respondent to pass orders on the representation of the petitioners and communicate the same to them within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the order passed in these writ petitions, directing the respondent to pass order on the representation of the petitioners shall not be construed in any manner as if this Court has accepted the claim of the petitioner for reducing the licence fee. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

sni

To
The District Manager,
The Tamil Nadu State Marketing Corporation Ltd., (TASMAC)
Chennai (South) District,
B-4, Ambattur Industrial Estate,
Chennai - 600058.

+2cc to Mr.K. Selvaraj, Advocate SR.No.85810

+1cc to Mr.P.Arumugarajan, Advocate SR.No.85669

W.P.Nos.31751 & 31753 of 2018

NMI (CO)

GMV (02/01/2019)