

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Writ Petition No.32470 of 2018
and
W.M.P.Nos.37674 & 37698 of 2018

1. N.Ganesh
2. V.Suresh ... Petitioners
vs.

1. The District Collector,
Coimbatore District,
Coimbatore - 641 018.

2. The District Excise Officer,
Coimbatore District,
Coimbatore - 641 018.

3. The District Manager,
Tamilnadu State Marketing
Corporation Ltd.,
Near FCI Godown,
Pellamedu,
Coimbatore-641 030.

4. Sri Hari ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the objections dated 30.10.2018 sent by the petitioners herein within a stipulated period.

For Petitioners : Mr.K.Govi Ganesan

For Respondents : Mr.D.Suriya Narayanan,
Additional Government Pleader for R1
Mr.K.Sathish Kumar,
Standing Counsel for RR 2 & 3

O R D E R

Mr.D.Suriya Narayanan, learned Additional Government Pleader takes notice for first respondent and Mr.K.Sathish Kumar, learned Standing Counsel takes notice for Respondents 2 and 3.

2.Since, this writ petition is being disposed of without affecting the interest of the fourth respondent and private party, notice to said respondent is dispensed with.

3. The petitioners seek for a Mandamus, directing the respondents 1 to 3 to consider the objections filed by them dated 30.10.2018, wherein and whereby, the objection to the location of the TASMAL Shop at the site in dispute.

4.This Court, at this stage, is not expressing any view on the merits of the case itself made by the petitioners, as it is for the 3rd respondent to consider and decide. Therefore, without expressing any view on the merits of the objection raised by the petitioner, this Writ petition is disposed of by directing the 3rd respondent to consider the representation of the petitioner dated 30.10.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioners, 4th respondent and other interested parties, if any. Such exercise shall be done by the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

gsi/vsi

To

1. The District Collector,
Coimbatore District,
Coimbatore - 641 018.
2. The District Excise Officer,
Coimbatore District,
Coimbatore - 641 018.
3. The District Manager,
Tamilnadu State Marketing
Corporation Ltd.,
Near FCI Godown,
Pellamedu,
Coimbatore-641 030.

+1cc to Mr.K.Govi Ganesan, Advocate SR.No.85179

+1cc to Mr.K.Sathish Kumar, Advocate SR.No.85207

+1cc to Government Pleader SR.No.85489

W.P.No.32470 of 2018

VBA (CO)

GMV (03/01/2019)



WEB COPY