



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.484 of 2018

T.R.Selvaraj

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Assistant Commissioner,
(Excise),
Theni District, Theni.

3.The District Manager,
TASMAC, Theni.

... Respondents

Petition filed under Article 226 Constitution of India to issue a writ of Mandamus directing the first respondent herein to consider the proposal sent by the third respondent for locating of shop No.8513 and attached bar in the premises owned by the petitioner in D.No.62-B Periya Andavar High Road, Bodi Town, Bodi Taluk, Theni District in proceedings bearing Na.Ka.No.8513/2017/A3 dated 15.09.2017 and grant necessary permission for the same on merits within the time stipulated by this Court and also considering the rental agreement entered upon by the third respondent with the petitioner.

For Petitioner	: Mr.A.Mithunchakravarthi
For R1 & R2	: Mr.Aayiram K.Selvakumar Additional Government Pleader
For R3	: Mr.B.Jameel Arasu

ORDER

This writ petition has been filed seeking direction to the first respondent to consider the proposal sent by the third respondent for locating shop No.8513 and attached bar in the premises owned by the petitioner in D.No.62-B, Periya Andavar High Road, Bodi Town, Bodi Taluk, Theni District in proceedings bearing Na.Ka.No.8513/2017/A3 dated 15.09.2017 and grant necessary permission for the same on merits within the time stipulated by this Court and also considering the rental agreement entered upon by the third respondent with the petitioner.



2. According to the petitioner, he has offered his land to locate a bar and a TASMAT shop No.8513 at Bodi Town. The third respondent has inspected the site and sent a recommendation to the first respondent, accepting his property for locating the above said shop. Even though, proposal has been sent on 15.09.2017, so far, the first respondent has not passed any orders. Hence, this writ petition has been filed.

3. Considering the fact that the third respondent has already sent recommendation to the District Collector/first respondent herein, the District Collector, Theni is directed to consider the petitioner's claim and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, after considering the objections if any, raised by any third parties with regard to relocation of the said shop in the petitioner's land.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District,
Theni.

2. The Assistant Commissioner,
(Excise),
Theni District, Theni.

+1cc to M/S.A.MITHUN CHAKRAVARTHI, Advocate SR.No.41565.

+1cc to M/S.B.JAMEEL ARASU, Advocate SR.No.41606.

+1cc to Special Government Pleader in SR.No.41946.

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mj

SDS/RSK/SAR 3/17.01.2018/2P/6C