



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2018

CORAM :

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) Nos.5683 to 5691 of 2018
and
W.M.P.(MD)Nos.5556 to 5564 of 2018

C.Manikandaprabu ... Petitioner in W.P(MD)No.5683 of 2018
Tamilselvan ... Petitioner in W.P(MD)No.5684 of 2018
Vairavan Ramesh ... Petitioner in W.P(MD)No.5685 of 2018
Sivakumar ... Petitioner in W.P(MD)No.5686 of 2018
J.Rajeswari ... Petitioner in W.P(MD)No.5687 of 2018
Murugan ... Petitioner in W.P(MD)No.5688 of 2018
Murugan ... Petitioner in W.P(MD)No.5689 of 2018

Mariya Savarimuthu Vadivel ...Petitioner in W.P(MD)No.5690 of 2018

Mariya Savarimuthu Vadivel ...Petitioner in W.P(MD)No.5691 of 2018

Vs.

1.The Tamil Nadu State Marketing
Corporation (TASMAC) Ltd.,
Rep by its Chairman cum Managing Director,
Thalamuthu Natarajar Building,
Egmore, Chennai 600 008.

2.The District Collector,
Nagercoil, Kanyakumari District.

3.The District Manager,
Tamil Nadu State Marketing Corporation
(TASMAC) Ltd., Konam, Nagercoil,
Kanyakumari District.

... Respondents

in WP(MD).Nos.5683 to 5691/2018

COMMON PRAYER IN WP(MD).Nos.5683 to 5691/2018:-

Writ Petitions are filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents to re-fix the tender conditions and impose the condition to remit 3% of 80% of the monthly sales of the petitioners' shop instead of 3% of entire monthly sales of the bar attached to Petitioners' shop bearing Shop Nos.4729,4737,4710,4830,4746,4720,4728,4747 and 4726 respectively located at Kanyakumari District within the time frame stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy

For 2nd Respondent : Mr.Aayiram K.Selvakumar
Additional Government Pleader.

For Respondents 1&3 : Mr.B.Jameel Arasu,
Standing Counsel.
(in all Wps)

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents to re-fix the tender conditions and impose the condition to remit 3% of 80% of the monthly sales of the petitioners' shops instead of 3% of entire monthly sales of the bar attached to the petitioners' shops bearing Shop Nos.4729, 4737, 4710, 4830, 4746, 4720, 4728, 4747 and 4726 respectively, located at Kanyakumari District within the time frame stipulated by this Court.

2.According to the petitioners, the petitioners are running a bar attached to the TASMAL shops pursuant to the auction conducted by the respondents. At the time of conducting auction, the respondents fixed upset price at the rate of 3% of 100% of actual sale. However, the respondent TASMAL has reduced the upset price at the rate of 3% of 80% of actual sale in respect of other shops. Being aggrieved by the same, the petitioners have submitted representation dated 20.01.2018 before the respondents. Since no order has been passed, the present writ petitions have been filed.

3.Learned Standing Counsel appearing for the respondents fairly submitted that the first respondent may be directed to pass orders on the representation of the petitioners.

4.In the above circumstances, the first respondent is directed to consider the representation of the petitioners dated 20.01.2018 and pass appropriate 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.



5. With the above direction, the writ petitions are disposed of. No costs. Consequently, W.M.P. (MD) Nos. 5556 to 5564 of 2018 are closed.

Sd/-

Assistant Registrar (P&A)

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/True Copy/

Sub Assistant Registrar

To

1. The Chairman cum Managing Director,
Tamil Nadu State Marketing
Corporation (TASMAC) Ltd.,
Thalamuthu Natarajar Building,
Egmore, Chennai 600 008.
2. The District Collector,
Nagercoil, Kanyakumari District.
3. The District Manager,
Tamil Nadu State Marketing Corporation
(TASMAC) Ltd., Konam, Nagercoil,
Kanyakumari District.

- + 9 ccs TO Mr. T. Lajapathi Roy, Advocate in SR No. 56518
- + 9 ccs TO Mr. B. Jameel Arasu, Advocate in SR No. 56409 to 56417
- + 1 cc TO The Special Government Pleader in SR No. 56548

sms

AE/JC/SAR1/11.04.2018/3P/23C

Writ Petition (MD) Nos. 5683 to 5691 of 2018
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