



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.5692 of 2018

and

WMP(MD)No.5565 of 2018

K.Murugan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Marketing
Corporation,
(TASMAC), CMDA Complex,
Egmore, Chennai - 600 008.
2. The Regional Manager,
Tamil Nadu State Marketing
Corporation, (TASMAC)
Anna Nagar, Madurai 625 020.
3. The District Manager,
Tamil Nadu State Marketing
Corporation,
(TASMAC) Madurai South,
Sipcot, Kappaloor,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to permit the petitioner for selling eatables and for collecting empty bottles in the Bar attached to TASMAC retail vending shop of respondents bearing No.5151 Madurai, until the finalization of the next tender, in accordance with law.

For petitioner : Mr.Veera Kathiravan
Senior Counsel
for M/s.Veera Associates

For respondents : Mr.Chellapandian,
Additional Advocate General
for Mr.H.Arumugam
for Standing Counsel

**ORDER**

Mr.Chellapandian, learned Additional Advocate General for Mr.H.Arumugam, learned Standing Counsel takes notice for the respondents.

2.By consent of both parties, the writ petition is taken up for disposal at the admission stage itself.

3.The petitioner herein had earlier filed WP(MD)No.1675 of 2018 questioning the tender notification issued by the TASMAC and seeking extension of his license for selling eatables and collecting empty bottles in the Bar attached to TASMAC retail vending shop of respondents bearing No.5134 Madurai.

4.This Court had only issued notice in the said writ petition. No interim order was granted. Therefore, the tender process went ahead and license was issued in favour of one Durai Pandi in TASMAC retail vending shop bearing No.5151, Madurai. Since the petitioner had already filed a writ petition in this regard and merely because he did not get any interim order therein, it is not open to him to file a second writ petition on the same cause of action.

5.This writ petition is dismissed as not maintainable. The respondents are directed to furnish a copy of license issued in favour of one Durai Pandi to the petitioner so as to enable the petitioner to question the same. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Managing Director,
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Anna Nagar, Madurai 625 020.



3.The District Manager,
Tamil Nadu State Marketing
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(TASMAC) Madurai South,
Sipcot, Kappaloor, Madurai District.

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+ 1 cc TO M/S.Veera Associates , Advocate in SR No. 56223
+ 1 cc TO Mr.H.Arumugam , Advocate in SR No. 56395

SKM

AE/SV MMS/SAR1/15.05.2018/3P/6C

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