



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.14329 of 2018

R.Matheswaran

... Petitioner

vs.

The Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Karur District, Karur

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to close the TASMAC Shop bearing TASMAC Shop No.5027 from the petitioner's land in Survey No.568/2B situated in the North West side of his land situated at Nerur South Village, Karur Taluk & District.

For Petitioner : Mr.N.Anandkumar
For Respondent : Mr.H.Arumugam
Standing Counsel

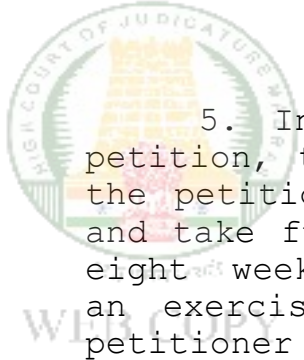
O R D E R

Mr.H.Arumugam, learned standing counsel, takes notice for the respondent.

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

3. It is the grievance of the petitioner that his representation dated 13.06.2018 seeking to close the TASMAC Shop bearing No.5027 from his land comprised in Survey No.568/2B of Nerur South Village, Karur Taluk & District, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondent is duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him to consider the petitioner's representation within a stipulated time.



5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 13.06.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

+1CC to Mr.N.Ananda Kumar Advocate in SR.No.71621.

+1CC to Mr.H.Arumugam Advocate in SR.No.71447.

KRK

DS/RP/SAR- 4:12.07.2018: 2P/3C

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