



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) Nos.14616 & 14617 of 2018

and

W.M.P.(MD) Nos.13162 & 13163 of 2018

M.Parthiban ... Petitioner in W.P.(MD) No.14616 of 2018

S.Sivaramakrishnan ... Petitioner in W.P.(MD) No.14617 of 2018

vs.

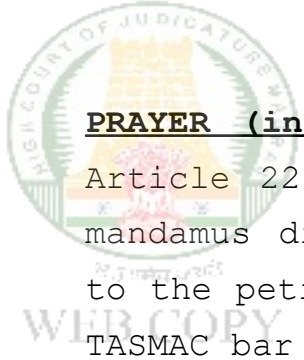
1.The Managing Director
Tamil Nadu State Marketing
Corporation (TASMAC)
CMDA Complex, Egmore
Chennai-600 008

2.The District Collector
Office of the District Collector
Thanjavur District

3.The District Manager / Deputy Collector
Tamil Nadu State Marketing
Corporation (TASMAC)
Thanjavur District

4.R.Thirunanam
The District Manager/Deputy Collector
Tamil Nadu State Marketing Corporation
(TASMAC), Thanjavur District ... Respondents in both W.Ps.

PRAYER (in W.P.(MD) No.14616 of 2018): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the third respondent to issue permanent license to the petitioner to collect empty bottles and sell eatables in the TASMAC bar attached to Shop No.8122 on receipt of necessary payments within a stipulated time.



PRAYER (in W.P. (MD) No.14617 of 2018): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the third respondent to issue permanent license to the petitioner to collect empty bottles and sell eatables in the TASMAC bar attached to Shop No.8121 on receipt of necessary payments within a stipulated time.

For Petitioner : Mr.S.Malaikani
(in both W.Ps.)

For Respondents : Mr.V.Anand
(in both W.Ps.) Government Advocate for R2

For R3 : Mr.H.Arumugam.

COMMON ORDER

Since the issue involved in both the writ petitions are one and the same, they have been clubbed together, heard together and are being disposed of by this common order.

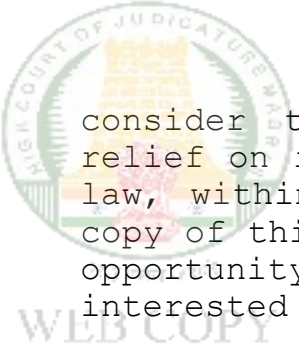
2. Mr.V.Anand, learned Government Advocate, takes notice for the second respondent. Notice to the respondents 1, 3 and 4 is dispensed with in view of nature of the order to be passed by this Court.

3. By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

4. It is the grievance of the petitioners that their applications seeking for issuance of permanent license to them in respect of collection of empty bottles and selling eatables in the TASMAC bars attached to the Shop Nos.8122 and 8121 respectively, on receipt of necessary payments, have not been considered by the respondents till date and therefore, he has filed the present writ petition.

5. This Court has not expressed any of its view with regard to the merits of the applications made by the petitioners. It is needless to point out that whenever an application of this nature is made, the respondents are 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 their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioners' applications within a stipulated time.

6. In view of the limited prayer sought for in these writ petitions, there shall be a direction to the third respondent to



consider the petitioners' applications in respect of the above relief on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioners as well as to the persons who may be interested in the subject matter.

7. With the above directions, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

The District Collector,
Office of the District Collector,
Thanjavur District.

+1cc to Mr.S.Malaikani, Advocate, SR.No.71887.
+1cc to H.Arumugam, Advocate, SR.No.72197.

W.P.(MD) Nos.14616 & 14617 of 2018
and
W.M.P.(MD) Nos.13162 & 13163 of 2018

KRK

RAM/SKN RSK/SAR 4/25.07.2018/3P/4C