

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3118 of 2019

P.Ponraj @ Ponnarasan

...Petitioner

Vs.

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The District Manager,
Coimbatore South,
The Tamil Nadu State Marketing Corporation (TASMAC),
Coimbatore District,
Coimbatore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 07.01.2019 before opening the Government TASMAC Shop at Madhukkarai Market Main Road, Opposite to Presentation Convent Matriculation Higher Secondary School, SIDCO Post, Trinity Nagar, SIDCO Private Industrial Estate, Kurichi, Coimbatore (South).

For Petitioner : Mr.A.Swaminathan

For Respondents : Mr.I.Sathish Kumar

Additional Government Pleader for R1

Mr.K.Sathish Kumar

Standing Counsel for R2

O R D E R

Mr.I.Sathish Kumar, learned Additional Government Pleader takes notice for the first respondent and Mr.K.Sathish Kumar, learned Standing Counsel takes notice for the second respondent. By consent of the parties, this main writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed seeking for a mandamus

directing the respondents to consider the petitioner's representation dated 07.01.2019 wherein and whereby, he opposed to the proposed opening of a TASMAC Shop at Madhukkarai Market Main Road, Opposite to Presentation Convent Matriculation Higher Secondary School, SIDCO Post, Trinity Nagar, SIDCO Private Industrial Estate, Kurichi, Coimbatore (South).

3. The grievance of the petitioner is that if the TASMAC Shop is located in the disputed site, it would cause great inconvenience and hardship to the public as well as the school going children. Therefore, the petitioner contends that the representation made by him shall have to be considered by the respondents immediately.

4. Mr.K.Sathish Kumar, learned Standing Counsel appearing for the second respondent submitted that the representation of the petitioner will be considered and appropriate orders will be passed on merits and in accordance with law.

5. Accordingly, this Writ Petition is disposed of, by directing the second respondent to consider the representation of the petitioner and pass orders on the same 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 giving a due opportunity of hearing to the petitioner. Till such time, the respondents are directed not to open the TASMAC Shop in the disputed site. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sni/mk

To

1. The District Collector,
Coimbatore District, Coimbatore.
2. The District Manager,
Coimbatore South,
The Tamil Nadu State Marketing Corporation (TASMAC),
Coimbatore District, Coimbatore.

+1cc to Mr.A.Swaminathan, Advocate, S.R.No.8751
+1cc to Mr.K.Sathishkumar, Advocate, S.R.No.9314
+1cc to the Government Pleader, S.R.No.9117

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SSD(CO)

GSP(20/02/2019)