

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.32810 of 2018

V.Kumar

.. Petitioner

Vs.

1. The District Collector,
Kancheepuram,
Kancheepuram District.
2. The Managing Director,
TASMAC Ltd.,
Thalamuthu Natarajan Maaligai,
4th Floor, 2nd Block,
Egmore, Chennai - 600 008.
3. The District Manager,
TASMAC,
Kancheepuram North,
Kancheepuram District.
4. N.S.Sivaraj
(R4 suo motu impleaded vide order
dated 11.12.2018)

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the 1st and 3rd respondents not to open the proposed New TASMAC Shop 4076, No.26, Railway Station, Pallavaram, Chennai - 43.

For Petitioner : Mr.G.Mohammed Aseef

For Respondent 1 : Mr.E.Manoharan,
A.G.P.

For Respondents 2&3 : Mr.P.Arumugarajan,
Standing Counsel for TASMAC

For Respondent 4 : Mr.K.Selvaraj,
A.G.P.

O R D E R

(Order of the Court was made by S.MANIKUMAR, J.)

Petitioner has sought for a Mandamus directing the District Collector, Kancheepuram district / first respondent herein and the District Manager, TASMAC, Kancheepuram North / second respondent herein, not to open the proposed shop.

2. Vide order dated 11.12.2018, made in the instant writ petition, land owner who offered permission for opening TASMAC Shop No.4076 at No.26, Railway Station, Pallavaram, Chennai - 43, has been suo motu impleaded as respondent No.4. While impleading the land owner, a Hon'ble Division Bench of this Court has also directed respondent Nos.2 and 3 to file counter affidavit containing the following particulars viz.,

"(1) Whether the superstructure, in which the TASMAC shop is going to be located, is authorised / unauthorised / delivered ?

(2) In the event of TASMAC shop allowed to function, steps taken to abate the nuisance caused by the drunkard and steps taken to maintain the area in and around the TASMAC shop in a neat, tidy and sanitary condition."

3. On this day, when the matter came up for further hearing, Mr.P.Arumugarajan, learned Standing Counsel for respondent Nos.2 and 3 submitted that proposal to locate TASMAC Shop No.4076 at No.26, Railway Station, Pallavaram, Chennai - 43, has been dropped and that the shop is directed to be relocated in some other place. Submission is placed on record.

4. In view of the above, Mandamus need not be issued. Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

kk

To

1. The District Collector,
Kancheepuram,
Kancheepuram District.

2. The Managing Director,
TASMAC Ltd.,
Thalamuthu Natarajan Maaligai,
4th Floor, 2nd Block,
Egmore, Chennai - 600 008.

3. The District Manager,
TASMAC,
Kancheepuram North,
Kancheepuram District.

+1 cc to Mr.G.Mohammed Aseef, Advocate, S.R.No.16743

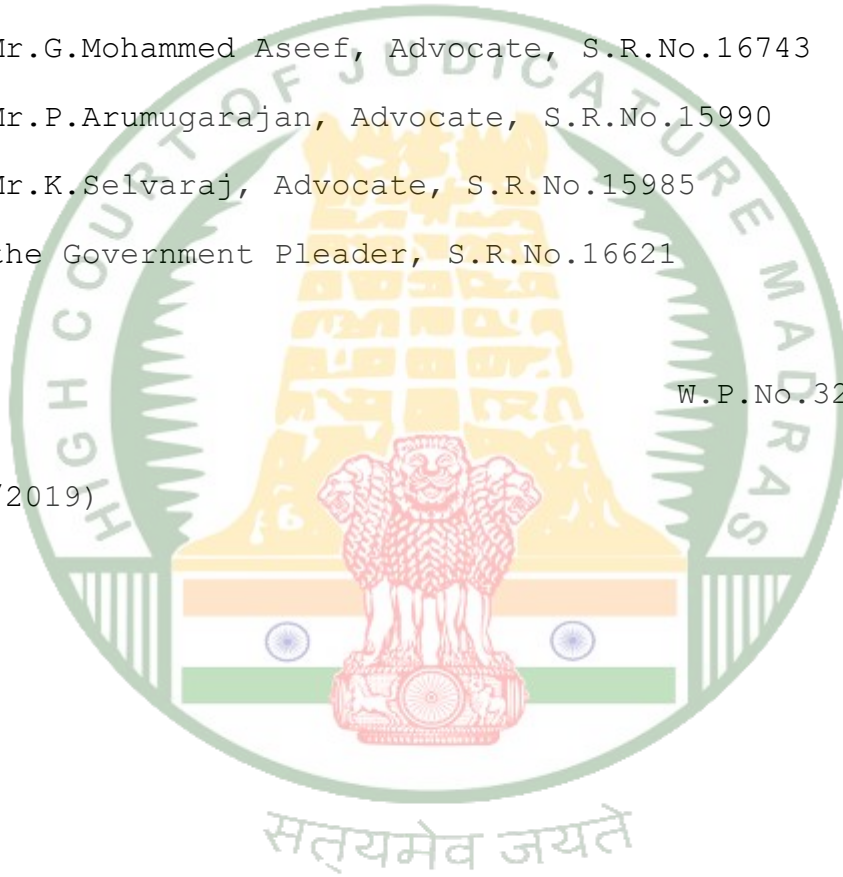
+1 cc to Mr.P.Arumugarajan, Advocate, S.R.No.15990

+1 cc to Mr.K.Selvaraj, Advocate, S.R.No.15985

+1 cc to the Government Pleader, S.R.No.16621

W.P.No.32810 of 2018

RR(CO)
SSM(10/04/2019)



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