



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2019

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

**W.P. (MD) No.16365 of 2019
and
W.M.P. (MD) Nos.13002 & 13003 of 2019**

Ramesh

... Petitioner

-VS-

1. The District Collector
Theni District
2. The Assistant Commissioner
Prohibition and Excise Department
Collectorate, Theni
3. The District Manager
Tamilnadu State Marketing Corporation (TASMAC)
Karuvvelanaickenpatti
Theni District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent herein either shift or close the existing TASMAC Shop Nos.8516 and 8576 situated at Boothipuram Road, Palanichettipatti, Theni District, within the time stipulated by this Court.

For Petitioner : Mr.R.Suresh Kumar

For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader for R1 & R2
Mr.B.Jameel Arasu
Standing Counsel for R3



O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

The petitioner, by way of this writ petition, has sought for closure of two TASMAL retail vending shops.

2. The Court, while considering the matter, had appointed Advocate Commissioners to inspect the shops and they are in the process of doing it, because a comprehensive order was passed for thirty shops.

3. Be that as it may, in this writ petition, the respondent TASMAL has filed the requisite details, including the copy of the approval granted by the District Collector. Copies of these communications and orders have been served on the learned counsel for the petitioner.

4. In the light of the above, we do not propose to issue any direction in this writ petition, because we are *prima facie* satisfied that there is no violation of the distance rules. Accordingly, the writ petition is closed. However, if the petitioner is of the opinion that there is any factual error in the distance or other issues, he can approach the District Collector by way of representation. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To:

1. The District Collector,
Theni District.
2. The Assistant Commissioner,
Prohibition and Excise Department,
Collectorate, Theni.



+1 CC to SPECIAL GOVERNMENT PLEADER (SR-90554[F] dated
30/09/2019)

+1 CC to M/s.R. VENKATESWARAN, Advocate (SR-90669[F] dated
01/10/2019)

+1 CC to M/s.B. JAMEEL ARASU, Advocate (SR-90750[F] dated
01/10/2019)

W.P. (MD) No.16365 of 2019

and

W.M.P. (MD) Nos.13002 & 13003 of 2019

27.09.2019

AE/ (15.10.2019) 3P 6C