



WEB COPY

W.P.(MD).No.19138 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.19138 of 2019

and

W.M.P. (MD) .No.15494 of 2019

R.Subbaiah

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

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

3.The Tahsildar,
Ponnamaravathi Taluk Office,
Pudukkottai District.

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the second respondent herein any way allowing to locate and establish the proposed TASMAC shop No.55 at Santhaipettai, Periyar Nagar, Ponnamaravathi Town Panchayat, Pudukkottai District by considering his representation dated 24.06.2019 and 26.07.2019.

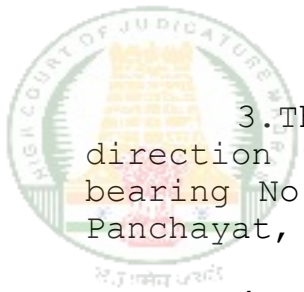
For Petitioner	: Mr.C.Gangai Amaran
For R1 and R3	: Mr.A.K.Baskara Pandian Special Government Pleader
For R2	: Mr.H.Arumugam

O R D E R

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.C.Gangai Amaran, learned counsel appearing for the petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing on behalf of the respondent Nos.1 and 3 and Mr.H.Arumugam, learned Standing Counsel appearing for the second respondent.

2.By consent of either side, this writ petition is taken up for disposal.



3.The petitioner by way of this writ petition seeks for a direction to the second respondent not to locate the TASMAC Shop bearing No.55 at Santhaipettai, Periyar Nagar, Ponnamaravathi Town Panchayat, Pudukkottai District.

4.According to the petitioner, there is a famous Temple called Subbaiah Temple located very near to the proposed place where the TASMAC shop is likely to be located and it is within the prohibited distance. Since a representation has been given to the authorities, it is for the authorities to take note of the same and ensure that the distance rule is not violated. Thus, without expressing any opinion on the writ petitioner's submission, we direct the first respondent to consider the petitioner's representation and if deem it fit, to direct an inspection to be conducted by one of the officer concerned and take a decision on the petitioner's representation. The above direction shall be complied with within a period of two weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector, Pudukkottai District, Pudukkottai.

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

3.The Tahsildar, Ponnamaravathi Taluk Office,
Pudukkottai District.

+1 CC to Mr.H. ARUMUGAM, Advocate SR-85083.

+1 CC to Mr.S. VAIGUNTH, Advocate SR-85069.

+1 CC to SPL GP SR-85322.

W.P. (MD) .No.19138 of 2019

and

W.M.P. (MD) .No.15494 of 2019

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