



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.10.2019**

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.21061 of 2019

V.Abdul Razak

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The District Manager,
TASMAC,
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the TASMAC sale counter, shop and bar in bearing Shop No.6995, Nathipalam Bus Stop, Perungulam Village (Madurai to Rameswaram National Highways), Ramanathapuram Taluk, Ramanathapuram District.

For Petitioner	: Mr.J.M.Hassanul Bazari
For Respondent-1	: Mr.A.Muthukaruppan Addl.Govt.Pleader
For Respondent-2	: Mr.B.Jameel Arasu Standing Counsel

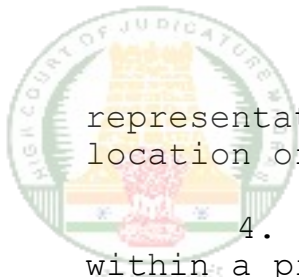
O R D E R

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

We have heard Mr.J.M.Hassanul Bazari, learned Counsel appearing for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader for R1 and Mr.B.Jameel Arasu , learned Standing Counsel for the 2nd respondent.

2. By consent of either side, this Writ Petition is taken up for final disposal.

3. The petitioner is a founder trustee of Peoples Victorious Moment Trust, Remanathapuram, formed for the purpose of rehabilitating the mentally challenged. By way of this writ petition, the petitioner seeks for consideration of his



representations, dated 15.11.2018 and 17.06.2018, objecting to the location of TASMAC retail vending Shop No.6995 with bar attached.

4. The petitioner would state that the shop is situated within a prohibited distance from the Government Law College and Government Schools and the location is inappropriate and detrimental to not only college and school going children, but also the public of the area. Therefore, the petitioner would state that the Shop is to be shifted. The representations sent by registered post and the postal acknowledgement card, we find that have been received by the office of the respondents. Since 2018 no action was taken, inspite of reminder sent in 2019, the petitioner is before this Court.

5. Since we are disposing of the Writ Petition at the admission stage, we refrain from expressing any opinion on the contentions raised by the petitioner alleging that there is violation of the distance rules and there are educational institutions within the prohibited distance, we leave this decision to be taken note of by the first respondent and if there is any violation, appropriate orders be passed by the 1st respondent as expeditiously as possible.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.

2. The District Manager,
TASMAC,
Ramanathapuram,
Ramanathapuram District.

+1 CC to Mr.J.M. HASSANUL BAZARI, Advocate (SR-90798[F] dated 01/10/2019)

+1 CC to spl.GP (SR-91191[F] dated 03/10/2019)

+1 CC to Mr.B. JAMEEL ARASU, Advocate (SR-91463[F] dated 04/10/2019)

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01.10.2019

mpk

MK (25.10.2019) 2P 6C

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