

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.NO. 11925 OF 2020

J.Jeyakrishnan

.. Petitioner

vs

1.The District Collector
Ariyalur District, Ariyalur.

2.The District Manager
TASMAC, Ariyalur District, Ariyalur.

3.The Tahsildar,
Ariyalur Taluk, Ariyalur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to close the TASMAC Shop No.6401 situated at Back side of the Nirmala Girls Higher Secondary School, Ariyalur-Palampady Road, Ariyalur District by considering the petitioner's representation dated .03.2020 within the stipulated period as framed by this Court.

For Petitioner .. Mr.V.Illanchelian

For Respondents .. Ms.RJ.Radhika,
Government Advocate for R1 & R3
Mr.Sathish Kumar for R2

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ORDER
(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition seeking a direction to the respondents to close the TASMAC Shop No.6401 stated to be functioning within the prohibited distance of the School by name Nirmala Girls Higher Secondary School, Ariyalur-Palampady Road, Ariyalur District.

2.We have heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for respondents 1 and 3 and the learned counsel appearing for the second respondent.

3.Learned counsel appearing for the second respondent/TASMAC submitted that the distance itself is about 715 meters. The TASMAC shop is functioning from the year 2017 onwards. This writ petition has been filed in view of the emergence of the lay out recently and on behalf of the owners.

4. This Court cannot conduct a roving enquiry. The fact that the TASMAC shop has been functioning from the year 2017 is not in dispute. Therefore, the writ petition filed by the petitioner deserves to be rejected. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS VI)

//True copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The District Collector
Ariyalur District, Ariyalur.
- 2.The District Manager
TASMAC, Ariyalur District, Ariyalur.
- 3.The Tahsildar,
Ariyalur Taluk, Ariyalur District.

VBA (CO)
NRA (10/12/2020)

W.P.No.11925 of 2020