

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.11.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.16671/2020 & WMP.No.20665/2020

K.Vidhyasagar

.. Petitioner

Versus

- 1.The District Collector
Tiruppur District, Tiruppur.
- 2.The zonal Manager,
TASMAC, Vilankurichi Road
Peelamedu, Coimbatore 641 004.
- 3.The District Manager
TASMAC, Angeripalayam
Tiruppur 641 602.
- 4.The Block Development Officer
BDO Office, Kundadam
Dharapuram Taluk.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to shift the TASMAC shop No.3836 along with the bar at Manurpalayam, Dharapuram Taluk, Tiruppur District, within a time frame fixed by this Court by considering the petitioner representation dated 07.09.2020.

For Petitioner : Mr.C.Ramaraj

For R1&R4 : Mr.R.Vijayakumar
Additional Government Pleader

For R2& R3 : Mr.K.Sathishkumar
Standing counsel

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

- (1) By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2) Mr. R. Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 4 and Mr. K. Sathishkumar, learned Standing counsel accepts notice on behalf of respondents 2 and 3.
- (3) The writ petition is filed as a Public Interest Litigation by a resident of Manurpalayam, Kundadam Village, Peliampatti Post, Dharapuram Taluk, Tiruppur District alleging that a TASMAL shop bearing Shop No. 3836 is functioning for about 10 years just about 85 meters away from a school and also in an objectionable place and despite very many agitations, dharnas, were conducted, no proper steps have been taken and at last, a compromise was yielded out to close the TASMAL shop and despite that, nothing is happening.
- (4) The learned counsel for the petitioner would submit that apart from the fact that the TASMAL shop is located in an objectionable place, the same is also causing nuisance to the local residents on account of the behaviour of the drunkards which is also resulting in law and order problem and moreover, the places in and around the TASMAL shop, are not maintained in a neat, tidy and sanitary condition and therefore, prays for appropriate orders in immediate closure of the said shop.
- (5) Per contra, Mr. K. Sathishkumar, learned standing counsel appearing for respondents 2 and 3 on instructions, would submit that within a period of one month from today, the TASMAL Shop bearing No. 3836, will be relocated in a totally unobjectionable place and also subject to the maintenance of the shop to be opened, in a neat, tidy and sanitary condition and that apart, an assurance is also given that on account of the functioning of the shop, no law and order and public order problem would be created. The said submission, on instructions, is taken on file and placed on record.
- (6) In the light of the same, no further orders are necessary in this writ petition and therefore, the writ petition is closed. No costs.

(7)Call on 04.01.2021 for filing of the Compliance Report/Affidavit by respondents 2 and 3. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

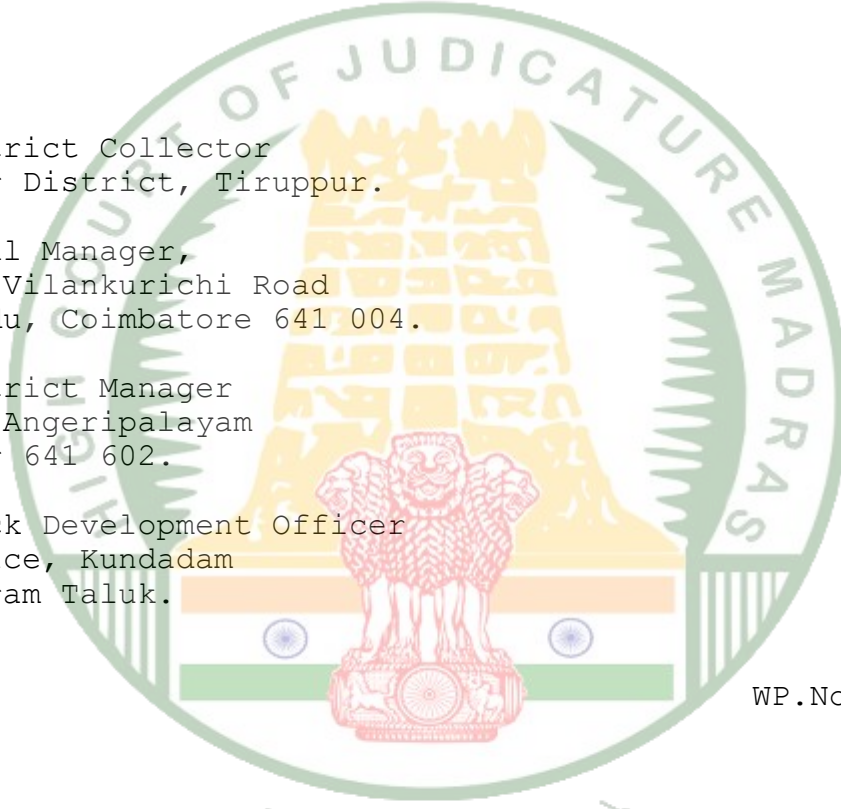
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Sub-Assistant Registrar

AP

To

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SAI (CO)
SP(07/12/2020)

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