



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.18966 of 2020

(Through the Video Conferencing)

WEB COPY

Murugalakshmi

... Petitioner

Vs

The District Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Thoothukudi District. ... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to refund the above said amounts payable to the petitioner on the basis of the petitioner's representation dated 10.10.2020.

For Petitioner : Mr.V.Malaiyendran

For Respondent : Mr.S.Ramakrishnan
for M/s.B.Jameel Arasu
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to refund the sum of Rs.3,04,994/- as well as another sum of Rs.1,54,997/-, which was deposited by the petitioner's husband with the respondent.

2. Mr.S.Ramakrishnan, learned counsel representing Mr.B.Jameel Arasu, learned Standing Counsel accepts notice on behalf of the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard Mr.V.Malaiyendran, learned counsel for the petitioner and Mr.S.Ramakrishnan, learned counsel representing Mr.B.Jameel Arasu, learned Standing Counsel for the respondent.

4. It is the case of the petitioner that her husband Late.Ponpandian was running a Bar vide No.9901, attached to Tasmac Shop, situated at Ettyyapuram Vadakku Veedhi, since 2015-2018. According to the petitioner, her husband died on 06.07.2019, It is her case that the said Bar, which was earlier run by the petitioner's husband has now been allotted to some other third parties. However, according to her, the amounts deposited with the respondent by her husband has not been refunded till date by the respondent. She has given a representation on 10.10.2020 seeking for refund of the amounts deposited by her husband with the respondent. It is her case that till date, the said representation has not been considered by the respondent. In such circumstances,



this Writ Petition has been filed.

5. The relief sought for by the petitioner in this Writ Petition is an innocuous relief. No prejudice will be caused to the respondent, if the prayer sought for by the petitioner in this Writ Petition is granted.

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6. For the foregoing reasons, this Court directs the respondent to consider the petitioner's representation dated 10.10.2020 requesting for refund of the amounts deposited by her husband Late.Ponpandian, while he was running the Bar attached to the Tasmac Shop situated at Ettyyapuram Vadakku Veedhi between 2015-2018 and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO
The District Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Thoothukudi District.

W.P. (MD)No.18966 of 2020

22.12.2020

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