



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.20466 of 2021

Father of the Constitution of India-Foundation
(Dr.Ambedkar Foundation-India)
Rep. by its Managing Trustee
Pon.Dhammabala
No.153/4, Intellectual Vihaar
Rastha Eda Street, Attur Main Road
Thiruthuraipoondi
Thiruvarur District 614 713.

..Petitioner

Vs.

1. The Secretary to Government
Revenue Department
Secretariat, Chennai 600 009.
2. The District Collector
District Collectorate officer
Thiruvarur District.
3. The Revenue Divisional Officer
Mannargudi, Thiruvarur District.
4. The District Revenue Officer
Thiruvarur, Thiruvarur District.
5. The Deputy Collector and District Manager
Tasmac, Thiruvarur.
6. The Tahsildar
Thiruthuraipoondi Taluk
Thiruvarur District.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 2 to 5 to consider petitioner's representation dated 09.12.2019 to shift the (1) TASMAL Shop No.9640, TASMAL Shop No.9637 at Thiruthuraipoondi Bus Stand and (2) TASMAL Shop No.9796, Thiruthuraipoondi-Tiruvarur Main Road, Pazhavanar River



Bed at Manali Village, Thiruthuraipooni Taluk to some other areas within a stipulated time that may be fixed by this Hon'ble Court.

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For the Petitioner : Mr.N.Palanivel

For the Respondents : Mr.P.Muthukumar
State Govt. Pleader
for respondents 1 to 4 & 6

Mr.N.Damodaran
Standing Counsel
for respondent-5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner desires that a Tasmac shop near Thiruthuraipoondi bus stand be removed to some other place.

2. There are guidelines in place as to where a Tasmac shop may be established. The guidelines also provide for objections to be taken and for such objections to be addressed. The District Collector is ordinarily tasked with the duty of looking into any grievance as to whether any guideline has been breached in a Tasmac outlet being permitted to be opened at a particular place.

3. Accordingly, W.P.No.20466 of 2021 is disposed by permitting the petitioner to carry a fresh, detailed representation in respect of the matters complained of to the second respondent District Collector of Thiruvarur, whereupon, such official will cause an inquiry to be made upon notice to all concerned, including Tasmac and the owner of the relevant outlet. The District Collector should take a reasoned decision in the matter within three months of the receipt of the petitioner's representation in such regard and forward copies of his speaking order to all affected thereby, including to the petitioner. It is made clear that the merits of the petitioner's grievance have not been gone into.

4. There will be no order as to costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1. The Secretary to Government
Revenue Department
Secretariat, Chennai 600 009.
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District Collectorate officer,
Thiruvarur District.
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Thiruthuraipoondi Taluk
Thiruvarur District.

+1cc to Mr.N.Palanivel, Advocate, S.R.No.49597

W.P.No.20466 of 2021

PM(CO)
CT(29/09/2021)