



WEB COPY

WP[MD]No.7960 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.7960 of 2021

and

W.M.P.[MD]No.6071 of 2021

T.Subramanian

... Petitioner

Vs.

1.The Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
Rep. by its Chairman and Managing Director,
Thalamuthu Natarajar Building,
Egmore, Chennai - 8.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
Plot No.100, Anna Nagar, Madurai - 20.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
IMFS Depot. TASMAC Ltd.,
S.No.138, Master Plan Complex,
Madurai Rameswaram Road,
Sakkarakottai Village,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to remove the TASMAC shop No.7035 situated at Suchani Village, Kallur Panchayath, Thiruvadanai Taluk, Ramanathapuram District based on the representation dated 27.07.2020, within the time stipulated by this Court.

For Petitioner	: Mr.N.Pragalathan
For Respondents 1,2 & 4	: Mr.B.Jameel Arasu, Standing Counsel
For Respondent No.3	: Mr.K.Mu.Muthu, Additional Government Pleader



O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.N.Pragalathan, learned Counsel appearing for the petitioner, Mr.B.Jameel Arasu, learned Standing Counsel appearing for respondents 1, 2 and 4 and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the third respondent.

2.This Writ Petition styled as a Public Interest Litigation has been filed by T.Subramanian, opposing the location of a TASMACHOP bearing Shop No.7035 situated at Suchani Village, Kallur Panchayath, Thiruvadanai Taluk, Ramanathapuram District.

3.As rightly pointed out by Mr.B.Jameel Arasu, learned Standing Counsel for the respondent TASMACHOP, the petitioner cannot be treated as a public interest litigant, as he has participated in the auction conducted by the TASMACHOP, for selling eatables and collecting empty bottles in the bar attached to Shop No.7035, and was unsuccessful and one Kalimuthan, is the successful tenderer, who is running the facility since 2019. In the affidavit filed in support of the petition as well as in the representation dated 27.07.2020, the petitioner has admitted the same. Therefore, the Writ Petition styled as a Public Interest Litigation cannot be entertained at the instance of the writ petitioner.

7.Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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

1.The Chairman and Managing Director,
Tamil Nadu State Marketing Corporation (TASMAC) Ltd.,
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Chennai - 8.

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+1 CC to M/s.SPL GP (SR-16695[F] dated 20/04/2021)

ORDER MADE IN
W.P. [MD]No.7960 of 2021
17.04.2021

SVN(CO)

TR(30.04.2021) 3P 6C