



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.05.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P. (MD)No.9451 of 2021

M.Mokkarasu

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Theni District.

2.The Tahsildar,
Office of the Tahsildar,
Uthamapalayam,
Theni District.

3.The District Manager,
Tamil Nadu State Marketing Corporation,
Theni District. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to remove the Tasmac shop bearing Shop No.8632, which is situated near the Temples and public places in the light of the resolution passed in the Grama Shaba meeting of Surulipatti Village, Theni District, dated 26.01.2021 by considering the petitioner's representation, dated 15.02.2020 within the time frame fixed by this Court.

For Petitioner : Mr.K.Mathan
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
for R1 & R2
: Mr.Jameel Arasu
for R3

ORDER

(Order of the Court was made by S.S.SUNDAR,J)

Though this Writ Petition is filed for issuing a positive direction to the respondents to close down the Tasmac shop bearing Shop No.8632, the learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the District Collector to consider the petitioner's representation, dated 15.02.2020, based on the resolution of the Grama Sabha



2.Having regard to the limited scope of the prayer that is now sought for by the learned counsel appearing for the petitioner, without expressing any opinion on the merits of the petitioner's representation or the contentions raised by the petitioner in the affidavit filed in support of this Writ Petition, the first respondent is directed to consider the representation of the petitioner, dated 15.02.2020 and to pass appropriate orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

3.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Vacation Officer

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL/PS

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 District Collector,
Office of the District Collector,
Theni District.
 - 2.The Tahsildar,
Office of the Tahsildar,
Uthamapalayam,
Theni District.
 - 3.The District Manager,
Tamil Nadu State Marketing Corporation,
Theni District.
- +1 CC to M/s.SPL GP (SR-18554[F] dated 13/05/2021)
- +1 CC to M/s.M/S K.MATHAN, Advocate (SR-18567[F] dated 17/05/2021)

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