



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.5375 of 2019

A.Manikandan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Manager,
TASMAC,
Olugacheri,
Thiruvidaimaruthur,
Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the 1st respondent to remove the 2nd Respondent's TASMAC shop, situated in the Kollidam River Bank of Olugacheri, Thiruvidaimaruthur, Thanjavur District, to any other suitable place, by considering petitioner's representation dated 15.10.2018, within the period as stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondent No.1 : Mr.K.P.Krishnadoss
Special Government Pleader

For Respondent No.2 : Mr.H.Arumugam,
Standing Counsel

* * * * *

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This Public Interest Petition is filed to take appropriate action to remove the TASMAC Shop situated in the Kollidam River Bank of Olugacheri, Thiruvidaimaruthur, Thanjavur District.

2.Learned counsel for the petitioner submitted that the TASMAC shop is situated at the river bank.



3.Learned Standing Counsel appearing for respondent No.2 submitted that there is no such violation and there is no basis for maintaining the Writ Petition.

4.After perusing the counter affidavit filed, we find that no such violation of the relevant rules. The petitioner has also not indicated the violation of any Rules. We cannot conduct a roving enquiry under Article 226 of the Constitution of India.

5.In view of the above, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Thanjavur District,
Thanjavur.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-14022[F] dated 26/03/2021)

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25.03.2021

SRK(CO)

TR(19.04.2021) 2P 3C