



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

WEB COPY

W.P. (MD)No.14484 of 2020

Marudhupandi, S/o.Kumar

... Petitioner

Vs.

1.The Administrative Director,
TASMAC, C.M.T.A. Tower - 2,
Elumpur, Chennai - 600 008.

2.The District Collector,
Madurai District, Madurai.

3.The Senior Zonal Manager,
TASMAC, Anna Nagar, Madurai.

4.The District Manager,
TASMAC Limited,
Kappalur, Madurai District.

5.Ravi

6.Sundar

7.Ayyaluraju

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the first respondent to take appropriate action for issuance of receipt as per the Manufacture Retail Price affixed in the IMFL, to establish rehabilitation centre at Taluk Level and District Level and consequently, direct the first respondent to take appropriate action as against the respondents 5 to 7 for illegally collecting more money as affixed MRP from the consumer as staff of the TASMAC Shop No.5169, Jaihindpuram, Madurai, based on the petitioner's representation, dated 26.09.2020.

For Petitioner	:	Mr.S.Muniyandi
For R1, R3 and R4	:	Mr.H.Arumugam Standing Counsel
For R2	:	Mr.K.P.Krishnadooss Special Government Pleader
For R5 to R7	:	Mr.K.Esakki

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

The petitioner has come forward to file this Writ Petition seeking a Writ of Mandamus, directing respondent No.1 to take appropriate action for issuance of receipt as per the Manufacture Retail Price.

2.The learned Standing Counsel appearing for respondent Nos.1, 3 and 4 submitted that there is no *bona fide* in this Writ Petition. There was a personal dispute between one Ravi and respondent No.5. The shop was closed at the instance of the said person. Thereafter, the higher officials came the next day and opened it. A criminal complaint has also been given and C.S.R. Number has been assigned. Therefore, the present Writ Petition has been filed. A Circular has been issued with respect to issuance of receipt.

3.Though the learned counsel appearing for the petitioner tried to contend on merits, we do not find any merit *per se* after going through the counter affidavit filed by respondent No.4. Secondly, we do not find any *bona fide* in this Writ Petition. The averments made in Paragraphs 3 and 4 of the counter affidavit of respondent No.4 are not denied or disputed. Therefore, it is a case of personal interest being converted into public interest litigation. Though it is a fit case for imposing cost, we are not inclined to do so.

4.In such view of the matter, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CSIII)

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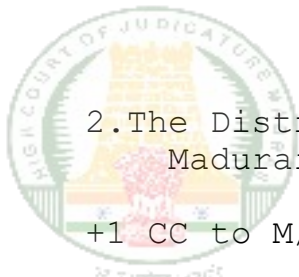
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Sub Assistant Registrar(CS)

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 Administrative Director,
TASMAC, C.M.T.A. Tower - 2,
Elumpur, Chennai - 600 008.



2.The District Collector,
Madurai District, Madurai.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-11375[F] dated 16/03/2021)

+1 CC to M/s.SPL GP (SR-11522[F] dated 16/03/2021)

W.P. (MD) No.14484 of 2020
15.03.2021

ES (CO)
KB(24.03.2021) 3P 5C