



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2021

CORAM:

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)NO.16998 OF 2021
and
W.M.P(MD)No.13925 of 2021

Vaithiyanathan

:Petitioner

.vs.

- 1.The Chief Secretary,
Office of the Chief Secretary,
St.George Fort,
Chennai-9.
- 2.The District Collector,
Collectorate,
Thanjavur District.
- 3.The District Manager,
TASMAC,
Thanjavur District.
- 4.The Tahsildar,
Papanasam Taluk,
Papanasam,
Thanjavur District.
- 5.The Village Panchayat President,
Village Panchayat Office,
Ganapathi Agragaram,
Papanasam Taluk,
Papanasam,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus restraining the respondents from shifting the existing TASMACHOP No.8129 to a new place which is nearer to temples and residential area at Ganapathy Agragaram Village, Thanjavur District.



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For Petitioner	: Mr.S.Alagusundar
For Respondents 1,2 and 4	: Mr.P.Subbaraj Special Govt.Pleader
For Respondent-3	: Mr.H.Arumugam Standing Counsel for TASMAL
For Respondent-5	: Mr.P.Thilakkumar Govt.Pleader

O R D E R

(Order of the Court was made by PUSHPA SATHYNARAYANA,J)

This Writ Petition is filed seeking issuance of a Writ of Mandamus restraining the respondents from shifting the existing TASMAL Shop No.8129 to a new place, which is nearer to temples and residential areas at Ganapathy Agragaram Village, Thanjavur District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.For the various reasons stated in the affidavit, the Petitioner seeks for a direction restraining the respondents from shifting the TASMAL Shop No.8129 to Ganapathy Agragaram Village, Thanjavur District. It appears that the Petitioner on 17.08.2021 has sent a representation to the Chief Minister's Cell, in this regard. Since no action is taken so far, the Petitioner has filed the present Writ Petition for the relief stated supra.

4.In the light of the above facts, this Court directs the Petitioner to submit a fresh representation to the authorities concerned including the District Collector Thanjavur District, who is the competent authority to approve the place for shifting the TASMAL Shop concerned. The Petitioner would submit his objections by way of representation to the District Collector Thanjavur District, the second respondent herein, within a period of two weeks from the date of receipt of a copy of this order. On receipt of which, the District Collector, Thanjavur District/the second respondent herein is directed to issue notice to the Petitioner and other interested parties if any and after affording them an opportunity of personal hearing, pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter.



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5. With these directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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 Chief Secretary,
Office of the Chief Secretary,
St. George Fort,
Chennai-9.

2. The District Collector,
Collectorate,
Thanjavur District.

3. The District Manager,
TASMAC, Thanjavur District.

4. The Tahsildar,
Papanasam Taluk,
Papanasam,
Thanjavur District.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-36415[F] dated 29/11/2021)

ORDER MADE IN
W.P(MD) NO.16998 OF 2021
and
W.M.P(MD) No.13925 of 2021
26.11.2021

KMK (CO)

TR(06.12.2021) 3P 6C