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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand and
Twenty One

PRESENT

The Hon'ble Mr. Justice R. SURESH KUMAR

W.M.P. (MD) No. 14654 of 2021

in

W.P. (MD) No. 17782 of 2021

MANOHARAN

... PETITIONER

Vs

1 TAMIL NADU STATE MARKETING CORPORATION LTD.,
(TASMAC), C.M.D.A. TOWER-II,
4TH FLOOR, GANDHI IRWIN BRIDGE ROAD, EGMORE,
CHENNAI 600 008. REP. BY THE MANAGING DIRECTOR.

2 THE DISTRICT COLLECTOR,
KARUR DISTRICT, KARUR.

3 THE SENIOR REGIONAL MANAGER,
TAMIL NADU STATE MARKETING CORPORATION LTD.,
(TASMAC), NO.19, TS NO.39/I.P. GANDHI NAGAR,
PON NAGAR, TRICHY 620 001.

4 THE DISTRICT MANAGER,
IMFS DEPOT, TAMIL NADU STATE MARKETING
CORPORATION LTD., (TASMAC),
SIPCOT INDUSTRIAL COMPLEX,
V.S. VELLAPATTY POST, KARUR.

5 THE SUPERVISOR,
TAMIL NADU STATE MARKETING CORPORATION LTD.,
(TASMAC), 12/58/6, ARVAKURICHI ROAD,
CHINNA DHARAPURAM, CHINNA DHARAPURAM POST,
ARAVAKURICHI TALUK, KARUR DISTRICT.

6 LOGANATHAN

7 KALAISELVI

8 GOVINDARAJ

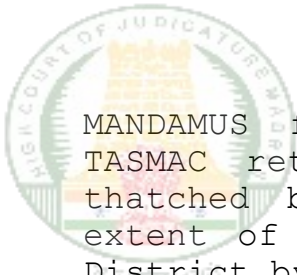
... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue an INTERIM INJUNCTION restraining the respondent Nos. 1 to 5 from establishing / reopening TASMAC retail outlet in Survey No.102/A2 measuring to an extent of 1.83 Acre, Chinna Dharapuram, Aravakurichi Taluk, karur District pending disposal of the WP.

Prayer in WP (MD). 17782 of 2021 :

<https://hcservices.ecourts.gov.in/hcservices/>

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court to issue a WRIT OF



MANDAMUS forbearing the officials Respondents from establishing TASMAC retail outlet in the Petitioner's land or its asbestos thatched building situated in Survey No.102/A2 measuring to an extent of 1.83 Acre, Chinna Dharapuram, Aravakurichi Taluk, Karur District by considering my representation dated 22.09.2021.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.SUKUMAR V, Advocate for the petitioner and of MR.D.GHANDIRAJ, Government Advocate on behalf of the 2nd Respondent and MR.H.ARUMUGAM, Standing Counsel for the Respondents Nos.1, 3, 4 & 5, the court made the following order:-

The prayer sought for herein is for an interim injunction, restraining the respondent Nos. 1 to 5 from establishing / reopening TASMAC retail outlet in Survey No.102/A2, measuring an extent of 1.83 Acre, Chinna Dharapuram, Aravakurichi Taluk, Karur District.

2.After hearing the learned Counsel appearing for the petitioner, as well as the learned Standing Counsel appearing for TASMAC, this Court has noted that in the very same Survey No.102/A2, already the petitioner along with the co-owners have leased out the property for locating the TASMAC shop, where the TASMAC shop had been functioning for some time from 2016.

3.Thereafter, as per the request of the petitioner and other co-owners, it has been shifted to some other place. Now, the apprehension of the petitioner is that the respondents are attempting to open the TASMAC shop in the earlier property belonging to the petitioner, for which the petitioner is making objection. However, it is to be noted that admittedly, the property in question belongs to four persons, and therefore, it is not known as to the stand taken by the other three respondents, in respect of running the shop either at the present place or in the earlier place.

4.Therefore, at this juncture, this Court cannot grant any interim order of injunction without hearing the other respondents. Therefore, the relief sought for by way of interim injunction since cannot be considered at this juncture and once the respondents are heard, the issue raised in the main writ petition can be decided and given a quietus. Therefore, this interim injunction petition need not be considered and accordingly, the same is dismissed.

Sd/-
30/09/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

THE DISTRICT COLLECTOR,
KARUR DISTRICT, KARUR.

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+1 CC to M/s.SPL.GP (SR-6802[I] dated 01/10/2021)

ORDER

IN

W.M.P. (MD) No.14654 of 2021
in

W.P. (MD) No.17782 of 2021

Date :30/09/2021

VB/SKN/SAR-III/06.10.2021/3P/3C