



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)NO.20958 OF 2021

and

W.M.P(MD)No.17562 of 2021

Salai Mathuram

:Petitioner

.vs.

- 1.The District Collector,
Collector Office Campus,
Pudukkottai District,
Pudukkottai.
- 2.The Assitant Commissioner,
Prohibition and Excise Department,
Collector Office Campus,
Pudukkottai District.
- 3.The Tahsildar,
Tahsildar Office,
Illupur Taluk,
Pudukkottai District.
- 4.The District Manager,
Government TASMAL Office,
SIPCOT,
Pudukkottai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents herein not to open the TASMAL Shop in Survey No.284/12, Patta No.6620 at Golden Nagar, Illupur Taluk, Pudukkottai District based on the Petitioner's representation dated 03.09.2021 and 16.11.2021.

For Petitioner

:Mrs.A.Banumathy

For Respondents
1 to 3

:Mr.B.Saravanan
Addl.Govt.Pleader

For Respondent-4

:Mr.H.Arumugam
Standing Counsel for TASMAL



ORDER

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

The Writ Petition is filed seeking issuance of a Writ of Mandamus directing the respondents herein not to open the TASMAC Shop in Survey No.284/12, Patta No.6620 at Golder Nagar, Illupur Taluk, Pudukkottai District based on the Petitioner's representation dated 03.09.2021 and 16.11.2021.

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

3.The case of the Petitioner is that TASMAC Shop No.6654 is situated opposite to the Jeevan Petrol Bulk, Viralimalai Main Road, Annavasal, Illupur Taluk, Pudukkottai District. While so, the fourth respondent is trying to shift the said TASMAC Shop opposite to the above place,ie., at Golden Nagar, Annavasal, Illupur Taluk, Pudukkottai District, which is a residential area having temple, Higher Secondary School and agricultural lands. If the TASMAC Shop is shifted to the above said place, it will affect the general public and students at large. In this regard, the Petitioner has submitted representations on 03.09.2021 and 16.11.2021 to the respondents 1 to 4. Since no action is taken so far, the Petitioner has come forward with this Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the approval was pending before the first respondent/The District Collector, Pudukkottai District and if suitable direction is given to the first respondent to consider the representations submitted by the Petitioner, it will be considered within the time stipulated by this Court.

5.In view of the above submission, this Court, without going into the merits of the claim made by the Petitioner, directs the first respondent/The District Collector, Pudukkottai to consider the representations of the Petitioner, dated 03.09.2021 and 16.11.2021 after affording an opportunity of hearing to the petitioner and other interested parties, if any, before granting approval for the issue in question and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Court.



6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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// True Copy //

Sd/-

Assistant Registrar (P&A)

/ /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 District Collector,
Collector Office Campus,
Pudukkottai District, Pudukkottai.
2. The Assistant Commissioner,
Prohibition and Excise Department,
Collector Office Campus, Pudukkottai District.
3. The Tahsildar,
Tahsildar Office,
Illupur Taluk, Pudukkottai District.
4. The District Manager,
Government TASMAL Office,
SIPCOT, Pudukkottai District.

+1 CC to M/s. H. ARUMUGAM, Advocate (SR-35932[F] dated 25/11/2021)

+1 CC to M/s. SPL GP (SR-35853[F] dated 25/11/2021)

W.P (MD) NO. 20958 OF 2021

and

W.M.P (MD) No. 17562 of 2021

24.11.2021

MGJ(10.12.2021) 3P 7C

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