



W.P.No.25499 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2022

CORAM

**THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE
and**

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

**W.P.No.25499 of 2022
and W.M.P.No.24499 of 2022**

Vasuki

.. Petitioner

-VS-

1. The District Collector,
Tiruppattur District, Tiruppattur.
2. The Revenue Divisional Officer,
Tiruppattur District, Tiruppattur.
3. The Tahsildar,
Tiruppattur Taluk, Tiruppattur District.
4. The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC), Vellore District,
Vellore.
5. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC), Salem District,
Salem.

6. Kuttiyappan

.. Respondents



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Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents 1 to 5 from granting permission to establishment of TASMAL Retail outlet in the land comprised in S.No.184/1B situated at Kanthili Village, Tiruppattur Taluk and District based on the petitioner's representation dated 04.04.2022.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.P.Muthukumar
State Govt. Pleader.

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Acting Chief Justice)

Mrs.Vasuki, W/o.Palani, residing at Door No.153, East Badanavadi Village & Post, Via Kanthili, Tiruppattur Taluk, has filed this writ petition for issuance of a writ of mandamus under Article 226 of the Constitution of India to forbear the respondents 1 to 5 from granting permission to establish a TASMAL retail outlet in the land comprised in S.No.184/1B situated at Kanthili Village, Tiruppattur Taluk and District based on the petitioner's representation dated 04.04.2022.



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2. The learned counsel appearing for the petitioner submitted that the proposed TASMAC outlet would cause serious hardship to the commuters as the road in which they are going to set up the TASMAC outlet is a busy one, more particularly the students of Kanthili Elementary School would be put to great and irreparable prejudice. Besides, the road in which the TASMAC outlet is going to be established is also a very narrow one and around the said land, there are agricultural lands which are capable of cultivating paddy, coconut, sugarcane and other valuable crops and if the proposed TASMAC shop is established, all these crops would be damaged. It is submitted that there is also a temple namely, Mahavetkaliyamman Koil within 150 metre radius from the said proposed outlet.

3. With all the aforesaid details, a detailed representation has been given by the petitioner and other villagers on 02.02.2022 and 04.04.2022, but none of the representations had evoked any response and therefore, the petitioner has been advised to come to this Court.



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4. Mr.P.Muthukumar, learned State Government Pleader appearing for the respondents, placed on record the written instructions dated 21.09.2022 and submitted that in view of the subsequent protest made by the villagers, the respondents have given up the proposal to set up the TASMAR retail out at the land in question.

5. Recording the aforesaid submission of the learned State Government Pleader, the writ petition is closed. No costs. Consequently, W.M.P.No.24499 of 2022 is also closed.

(T.R., ACJ.) (P.D.A., J.)
22.09.2022

Speaking/Non-speaking order

Index : Yes / No
Internet : Yes / No

sra



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T.Raja, ACJ.
and
P.D.Audikesavalu, J.

(sra)

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