



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2022

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)NO.1321 OF 2022
and
W.M.P(MD)Nos.1163 of 2022

Sivakumar :Petitioner
.vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Assitant Commissioner,
(Prohibition and Excise),
Pudukkottai District,
Pudukkottai.

3.The District Manager,
Tamil Nadu State Marketing Corporation(TASMAC)Limited,
Pudukkottai District,
Pudukkottai.

: 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 not to establish/relocate any TASMAC shop in Periyar Nagar, Koppampatti Village, Kulathur Taluk, Themmavur Post, Pudukkottai District on the basis of the Petitioner's representation, dated 18.01.2022.

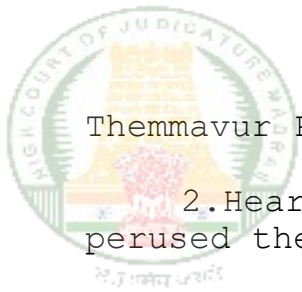
For Petitioner	:Mr.K.K.Samy
For Respondents	:Mr.M.Siddharthan
1 and 2	Addl.Govt.Pleader
For Respondent-3	:Mr.H.Arumugam

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 directing the respondents not to establish/relocate any TASMAC shop in Periyar Nagar, Koppampatti Village, Kulathur Taluk,

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



Themnavur Post, Pudukkottai District.

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

3. The Petitioner seems to have sent a representation, dated 18.01.2022 to the District Collector, Pudukkottai District, requesting him not to open the TASMAL shop in Koppampatti Village. Earlier, the second respondent has sent a communication, dated 22.12.2021 stating that there was no proposal to open Shop No.6679 in Koppampatti Village, Themnavur Taluk, Pudukkottai District. While so, the learned counsel, on instructions, states that the shop is now opened in Killukulavapatti Village in S.No.15/11. In this regard, a proposal was sent to the District Collector on 06.01.2022 and the first respondent also had, after consideration, granted permission on 20.01.2022. After grant of permission, the shop was opened on 24.01.2022. Since the shop is opened in Killukulavapatti Village and not in Periyar Nagar, Koppampatti Village, Themnavur Taluk, Pudukkottai District, as had been requested by the Petitioner, the Petitioner cannot have any grievance. Therefore, he cannot have any further objection. If at all, the Petitioner is aggrieved that the above said TASMAL shop located within the prohibited distance, it is open to him to make a representation to the first respondent.

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

Sd/-

Assistant Registrar (AD-I)

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/ /2022

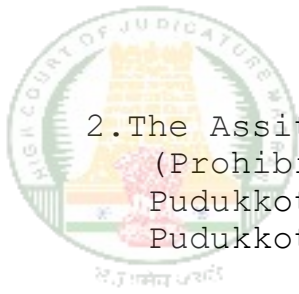
Sub Assistant Registrar(CS)

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,
Pudukkottai District,
Pudukkottai.



2.The Assitant Commissioner,
(Prohibition and Excise),
Pudukkottai District,
Pudukkottai.

3.The District Manager,
Tamil Nadu State Marketing Corporation(TASMAC)Limited,
Pudukkottai District,
Pudukkottai.

+1 CC to M/s.SPL.GP (SR-2795[F] dated 28/01/2022)

+1 CC to M/s.K.K.SAMY, Advocate (SR-2892[F] dated 28/01/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-3051[F] dated 31/01/2022)

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and

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27.01.2022

NSN (CO)

KB (09.02.2022) 3P 7C