



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P (MD) .No.6254 of 2022

and

W.M.P (MD) .No.4859 of 2022

S.Madasamy

...Petitioner/Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
CMDA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai-600 008.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The Commissioner,
Excise Department,
Inspection Department,
Chokkirakulam,
Tirunelveli-9.

4.The District Manager,
TASMAC,
Ambai Road, Munneerpallam,
Tirunelveli.

...Respondent/Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondent herein from shifting the TASMAC shop No.10631 and its attached Bar from the present premises of the petitioner located at Survey No.20/2A4A2A, No.2, South Car Street, Nanguneri, Tirunelveli District to the shop at Survey No.1506A, Thisayanvillai Road, Opposite to Union Office, Nanguneri and further direct the respondents to retain the TASMAC shop No.10631 in the premises of the petitioner located bearing Survey No.20/2A4A2A, at No.2, South Car Street, Nanguneri, Tirunelveli District.

For Petitioner

: Mr.K.R.Laxman

For R1 & R4

: Mr.B.Jameel Arasu

For R2 & R3

: Mr.K.S.Selva Ganesan

Additional Government Pleader



ORDER

After hearing the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 2 and 3 and the learned counsel for the respondents 1 and 4, I am inclined to dispose this writ petition by directing the second respondent to consider and pass appropriate orders on the petitioner's representation, dated 28.03.2022 on merits and in accordance with law within a period of thirty days from the date of receipt of copy of this order without getting influenced by any external factors. While disposing the aforesaid application, the second respondent shall consider the fact that there is an Ladies Hostel and Little Flower Industrial Training Institution next to the proposed location. Though the petitioner has no right to demand, nevertheless it is incumbent on the part of the State corporation to act fairly and in an unbiased manner. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
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+1 CC to M/s.SPL.GP (SR-17042[F] dated 06/04/2022)

+1 CC to M/s.K.R. LAXMAN, Advocate (SR-17372[F] dated 07/04/2022)

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06.04.2022

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CK (CO)

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