



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).Nos.6232 and 6240 of 2022

and

W.M.P(MD).Nos. 4839 and 4846 of 2022

W.P(MD).No.6232 of 2022

E.Sudalaikannu

... 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.

...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.10629 and its attached Bar from the present premises of the Petitioner located at Survey No.168, Door No.326, Meelavan Kulam Road, Marugaalkurichi Village, Nanguneri Taluk, Tirunelveli District to the shop at Survey No.160, Marugaalkurichi Village, Nanguneri Taluk, Tirunelveli District and further direct the respondents to retain the TASMAC shop No.10629 in the premises of the Petitioner located at Survey No.168, Door No.326, Meelavan Kulam Road, Marugaalkurichi Village, Nanguneri Taluk, 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

W.P(MD).No.6240 of 2022

E.Sudalaikannu

... 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.

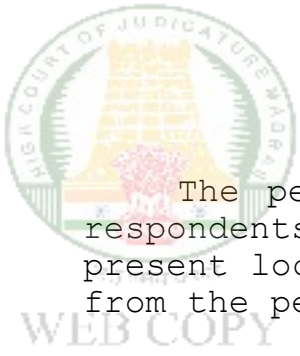
3.The Commissioner,
Excise Department,
Inspection Department,
Chokkirakulam,
Tirunelveli-9

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

...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.10626 and its attached Bar from the present premises of the Petitioner located at Survey No.170/5, Door No.244A, Elayaneri Road, South Nanguneri village, Nanguneri Taluk, Tirunelveli District to the shop at Survey No.170/4, Elayaneri Road, Near Manjal Kulam, South Nanguneri Village, Nanguneri Taluk, Tirunelveli District and further direct the respondents to retain the TASMAC shop No.10626 in the premises of the Petitioner located at Survey No.170/5, Door No.244A, Elayaneri Road, South Nanguneri Village, Nanguneri Taluk, 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



COMMON ORDER

The petitioner appears to have sent representation to all the respondents requesting not to shift the TASMAC retail shop from the present location, which has been leased out by the respondent TASMAC from the petitioner.

2. The petitioner in this writ petition states that the respondent TASMAC is acting in an arbitrary manner and proposing to shift the TASMAC only on account of the change of regime and therefore based on the exigencies, the respondents are changing arbitrarily even though there is no complaint so far for the past five years.

3. The writ petition stands disposed of by directing the respondents to consider and pass appropriate orders on the petitioner's representation, dated 28.03.2022 within a period of 15 days from the date of receipt of copy of this order. Before shifting the shop, the aforesaid representation shall be disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

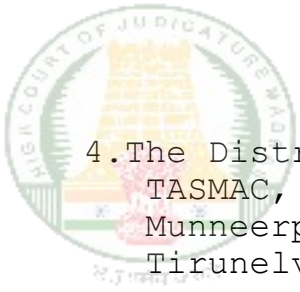
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To

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.

+2 CC to M/s.K.R. LAXMAN, Advocate (SR-16946,16948[F] dated
06/04/2022)

+1 CC to M/s.SPL.GP (SR-17002,16906[F] dated 06/04/2022)

W.P(MD) .Nos.6232 and 6240 of 2022
05.04.2022

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