



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2022

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

**W.P. (MD) No.9675 of 2022
and
W.M.P. (MD) No.6945 of 2022**

Sankar

... Petitioner

-VS-

1.The District Collector,
Theni, Theni District.

2.The District Manager,
Tamil Nadu State Marketing Corporation Ltd (TASMAC),
Karuvelnaikkanpatty, Theni-625 531,
Theni District.

3.The Assistant Commissioner,
Prohibition and Excise Department,
Collector Office Campus,
Theni District.

4.The Tahsildar,
Tahsildar Office,
Bodinayakanur, Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents to take necessary action based on the petitioner's representation dated 20.04.2022 for shifting the Tamil Nadu State Marketing Corporation (TASMAC) retail vending shop No.8612 from the Government Bus Stop, Boodhipuram, Theni District to any other place within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi
For R1, R3 & R4 : Mr.M.U.Prakash
Additional Government Pleader
For R2 : Mr.B.Jameel Arasu
Standing Counsel



O R D E R

[Order of the Court was made by D.KRISHNAKUMAR, J.]

By consent, this writ petition is taken up for disposal at the admission stage itself.

2. This writ petition has been filed to direct the respondents to take necessary action based on the petitioner's representation dated 20.04.2022 for shifting the Tamil Nadu State Marketing Corporation (TASMAC) retail vending shop No.8612 from the Government Hospital Bus Stop, Boodhipuram, Theni District to any other place.

3. It is the grievance of the petitioner that the TASMAC retail vending shop No.8612 is situated not only near the Government Primary Health Centre but also a temple, which is causing nuisance to the general public and hence, the petitioner has made a representation to the respondents to shift the said TASMAC shop. Since no action has been taken on the said representation, the petitioner is before this Court with the present writ petition.

4. Heard Mr.R.Karunanidhi, learned counsel for the petitioner; Mr.M.U.Prakash, learned Additional Government Pleader for respondents 1, 3 and 4; and Mr.B.Jameel Arasu, learned Standing Counsel for the 2nd respondent.

5. Considering the relief sought for in the writ petition, without going into the merits of the matter, the second respondent is directed to consider the representation of the petitioner dated 20.04.2022 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Vacation Officer/
Assistant Registrar (CS I)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

abr/RR



To

1.The District Collector,
Theni, Theni District.

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Tamil Nadu State Marketing Corporation Ltd (TASMAC),
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Theni District.

3.The Assistant Commissioner,
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Collector Office Campus, Theni District.

4.The Tahsildar,
Tahsildar Office,
Bodinayakanur, Theni District.

+1 CC to M/s.SPL.GP (SR-23693[F] dated 12/05/2022)

W.P. (MD) No.9675 of 2022
11.05.2022

MGJ(19.05.2022) 3P 6C