



W.P(MD).No.11014 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.11014 of 2022

Jayalakshmi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation (TASMAC)
Thalaimuthu Varadarajan Building,
Egmore,
Chennai.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC)
Anna Nagar,
Madurai-625020.

3.The District Collector,
Office of the District Collector,
Madurai District.

4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC)
Madurai North District,
Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fourth respondent to implement the orders passed by the third respondent, who is the District Collector, Madurai in Na.Ka.No.5426/2022/Madhu3, dated



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03.03.2022 and consequential order issued by the fourth respondent himself in Na.Ka.No.233/2022/A5, dated 29.04.2022 and by considering the petitioner's representation, dated 03.05.2022 within the time stipulated by this Court.

For Petitioner : Mr.B.Arun
For R1, R2 & R4 : Mr.H.Arumugam
Standing Counsel
For R3 : Mr.P.Subbaraj
Special Government Pleader

ORDER

The petitioner sent a representation, dated 03.05.2022 to the respondents seeking permission to shift the shop to the petitioner's building. The petitioner submits that the third respondent in Na.Ka.No. 5426/2022/Madhu3, dated 03.03.2022 gave permission, consequently, the order issued by the fourth respondent in Na.ka.No.233/2022/A5, dated 29.04.2022. The fourth respondent after discussion with the petitioner agreed to shift Shop No.5258 to the petitioner's premises. The petitioner given willingness for the same. Thereafter, orders passed and the petitioner constructed a building for the TASMAC shop in the area. After getting approval from the concerned authority, the shop was ready for occupation by TASMAC. On 26.03.2022, the officials of TASMAC inspected the building and on 01.03.2022 given approval. The fourth respondent approved the proposal. Thereafter, TASMAC decided to open the Shop No.5258 in the



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petitioner's building from 30.04.2022 and for the reasons best known, the shop was not opened. Hence, the petitioner is now put to great financial constraints.

2. The learned counsel for the respondents submitted that the third respondent granted permission to open the shop and consequential order passed by the District Manager on 29.04.2022. Both the orders implemented and the shop was opened on 30.04.2022, thereafter, the shop was temporarily closed on 02.05.2022 due to public objection. Challenging the said order of temporary closure, W.P(MD).No.13372 of 2021 filed.

3. In view of the above, the writ petition stands dismissed as infructuous. No costs.

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Index : Yes / No
Internet : Yes/ No
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To

1. The Managing Director,
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Thalaimuthu Varadarajan Building,
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Chennai.



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M.NIRMAL KUMAR, J.

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