



W.P.(MD).No.15181 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2022

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

W.P.(MD).No.15181 of 2022

M.Balasubramanian

... Petitioner

Vs.

1.The District Manager,
The Tamilnadu State Marketing Corporation Limited (TASMAC),
Tirunelveli District,
Tirunelveli.

2.The Supervisor,
TASMAC Shop No.10872,
Therku Radha Veethi,
Sankarankovil,
Tenkasi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to vacate the TASMAC shop bearing Shop No.10872 situated in Door No.20, Sankarankoil Road, Tenkasi in pursuant to the communication of the first respondent dated 28.07.2021 and by considering the representation of the petitioner dated 20.07.2021.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.B.Jameel Arasu,
Standing Counsel.



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ORDER

The petitioner, who is the owner of the property in which the TASMAC shop No.10872 is a tenant, has requested the tenant to vacate the premises of the petitioner's property. The petitioner has also sent a representation in this regard on 20.07.2021. But, no action has been taken till date.

2. The contention of the petitioner is that the rental agreement expired as early as in the year 2018. Thereafter, the second respondent had not vacated the premises till date and continued to run the shop illegally. The petitioner had sent a representation to the first respondent on 20.07.2021 seeking to vacate the shop and hand over the same to the petitioner. The first respondent, on 28.07.2021, had directed the second respondent to find an alternative appropriate place for establishing their new TASMAC shop and vacate the premises of the petitioner. Further, the first respondent had communicated to the petitioner by letter dated 03.09.2021 that the petitioner's premises would be vacated, when appropriate place for establishing the new TASMAC shop is found. Till date, nothing has happened. Hence, the present Writ Petition has been filed.



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3. The learned Standing Counsel appearing for the respondents has produced a letter of the first respondent dated 10.07.2022 stating that proper steps have been taken by the TASMAC officials to find an alternative place for shifting the shop No.10872 and that earlier, they found an alternative place, but there was objection for the same. Hence, it could not be shifted immediately. He further submits that appropriate steps would be taken to shift the said shop and to vacate the petitioner's premises and preferably within a period of six (6) months, the same could be completed. This six (6) months' period is an outer time limit and as and when, alternative place is found, the premises of the petitioner would be vacated.

4. Recording the same, this Writ Petition is disposed of. There shall be no order as to costs.

14.07.2022

Index : Yes / No
Internet : Yes/ No
Lm



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To

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M.NIRMAL KUMAR, J.

Lm

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