



W.P.(MD)No.27053 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

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Sahul Hameed

... Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate Building,
Trichy District.
- 2.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower – II, 4th Floor,
Gandhi Erwin Bridge Road, Egmore,
Chennai.
- 3.The Senior Regional Manager,,
Tamil Nadu State Marketing Corporation Ltd.,
Trichirapalli Regional,
RM2C + 34M, Ponnagar Vistharippu,
Sangiliyandapuram,
Trichy District.
- 4.The Tahsildar,
East Taluk Office,
Townhall, Singarathoppu,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India,
praying to issue a Writ of Mandamus, to direct the respondents to
shift the TASMACH Shops No.10219 and 10252 situated at Babu



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Road, Malaikottai Area, Trichirappalli District to some other place in the light of the peace committee meeting resolution dated 09.09.2022 on the file of the 4th respondent by considering the petitioner's representation dated 02.11.2022.

For Petitioner : Mr.K.Yasar Arafath

For Respondents 1 & 4 : Mr.P.Thilak Kumar
Government Pleader

For Respondents 2 and 3 : Mr.Sivanesan
Standing Counsel

* * *

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus, directing the respondents to shift the TASMACH Shops No.10219 and 10252 situated at Babu Road, Malaikottai Area, Trichirappalli District to some other place in the light of the peace committee meeting resolution dated 09.09.2022 on the file of the 4th respondent by considering his representation dated 02.11.2022.

2. Heard Mr.K.Yasar Arafath, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 and 4 and Mr.Sivanesan, learned Standing Counsel, who accepts notice on



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behalf of the respondents 2 and 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Alleging that the TASMACH Shop Nos.10219 and 10252 are situated within 100 meters at Babu Road, Malaikottai Area, Trichirappalli District, surrounded by a Temple, Dharga and Educational Institution, and due to that the residents of that area could not walk peacefully in the said road and though a resolution was passed in the Peace Committee Meeting convened by the 4th respondent on 09.09.2022 to shift those shops from that area, so far no step was taken in that regard, the petitioner submitted a representation to the respondents on 02.11.2022, and the same, according to the learned counsel for the petitioner, remains as such. Hence, the Writ Petition.

4. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied, if a direction is issued to the 1st respondent to dispose of his representation dated 02.11.2022, within a time frame.



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5. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the 1st respondent to consider the representation of the petitioner dated 02.11.2022, and pass appropriate orders on merits and in accordance with law, after issuing notice and affording an opportunity of hearing to the petitioner and all others. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
30.11.2022

Internet : Yes / No
Index : Yes / No
sj

To
1.The District Collector,
Office of the Collectorate Building,
Trichy District.

2.The Tahsildar,
East Taluk Office,
Townhall, Singarathoppu,
Trichy District.



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and

J.SATHYA NARAYANA PRASAD, J.

sj

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