



W.P.(MD) No.27846 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.27846 of 2022

Abdul Wahab

Vs.

... Petitioner

- 1.The District Collector,
Virudhunagar District,
Virudhunagar – 02.
- 2.The Managing Director,
TASMAC,
CMDA Tower (2),
4th Floor, Gandhi Erwin Bridge Road,
Egmore, Chennai – 08.
- 3.The General Manager,
TASMAC,
Sulaikkarai,
Virudhunagar.



W.P.(MD) No.27846 of 2022

4.The Commissioner,
Rajapalayam Municipal Office,
Rajapalayam,
Virudhunagar District.

5.Alagaraja

6.The Inspector of Police,
Rajapalayam Police Station,
Rajapalayam.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents considering the petitioner's representation dated 24.08.2022, 06.09.2022, 08.09.2022 and 13.09.2022 requesting them not to permit and open TASMACH Shop and BAR in Survey No. 41/1C/1D in Rajapalayam Town, Virudhunagar belongs to the 5th respondent.

For Petitioner : Mr.N.S.Karthikeyan

For Respondent : Mr.P.Thilak Kumar,
Government Pleader for R1
Mr.G.Manikandan,
Government Advocate (Crl. Side) for R6
Mr.H.Arumugam,
Standing Counsel for R2 & R3
Mr.N.Dilip Kumar,
Standing Counsel for R4.



W.P.(MD) No.27846 of 2022

WEB COPY

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 24.08.2022, 06.09.2022, 08.09.2022 and 13.09.2022, seeking not to permit and open TASMAL Shop and BAR in Survey No.41/1C/1D in Rajapalayam Town, Virudhunagar, belongs to the 5th respondent.

2. Heard Mr.N.S.Karthikeyan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the first respondent, Mr.H.Arumugam, learned Standing Counsel, who takes notice for the respondents 2 and 3, Mr.N.Dilip Kumar, learned Standing Counsel, who takes notice for the fourth respondent and Mr.G.Manikandan, learned Government Advocate (Crl. Side), who takes notice for the sixth respondent. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the fifth respondent is dispensed with.



W.P.(MD) No.27846 of 2022

WEB COPY 3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner submitted that though the petitioner made several representations on 24.08.2022, 06.09.2022, 08.09.2022 and 13.09.2022, seeking to not to open the TASMACH shop in the place in question, till date, the same was not considered by the respondents. Hence, the petitioner has filed this Writ Petition.

5. The learned Standing Counsel appearing for the respondents 2 and 3 (TASMACH), on instructions, submitted that as of now, there is no proposal for opening the TASMACH shop as claimed by the petitioner in the place in question. He further submitted that if there is any such proposal, the petitioner would be given an opportunity of personal hearing before passing orders on the said proposal, for which, the learned counsel for the petitioner has agreed.



W.P.(MD) No.27846 of 2022

WEB COPY 6. Recording the aforesaid submissions, this Writ Petition is disposed of.

No costs.

[D.K.K., J.] [R.V., J.]

09.12.2022

Index : Yes / No

Internet : Yes / No

vsm

To

1.The District Collector,
Virudhunagar District,
Virudhunagar – 02.

2.The Managing Director,
TASMAC,
CMDA Tower (2),
4th Floor, Gandhi Erwin Bridge Road,
Egmore,
Chennai – 08.

3.The General Manager,
TASMAC,
Sulaikkarai,
Virudhunagar.



WEB COPY



W.P.(MD) No.27846 of 2022

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

vsm

4.The Commissioner,
Rajapalayam Municipal Office,
Rajapalayam,
Virudhunagar District.

5.The Inspector of Police,
Rajapalayam Police Station,
Rajapalayam.

W.P.(MD) No.27846 of 2022

09.12.2022