



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.23877 of 2017
and
W.M.P(MD).No.20010 of 2017

Sri Sooravali Subbier Charities,
Represented by its Hereditary Trustee,
M.S.Sankar @ Sankaran

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Senior Regional Manager,
The Tamil Nadu State Marketing Corporation Limited,
Plot No.100, Anna Nagar,
Madurai-625020.

3.The District Manager,
The Tamilnadu State Marketing Corporation Limited,
Madurai District,
Manalur,
Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from establishing a TASMAL retail outlet in the property of the petitioner trust in Survey No.173/1B, Tallakulam Village, Madurai to Melur Highway, opposite to Mattuthavani Dr.M.G.R. Integrated Bus Stand.

For Petitioner	: Mr.T.R.Jeyapalam
For R1	: Mr.C.Satheesh
	Government Advocate
For R2 & R3	: Mr.H.Arumugam

ORDER

The petitioner has filed this writ petition having objection for establishing TASMAL retail outlet in the property of the petitioner's trust in Survey No.173/1B, Tallakulam Village, Madurai North Taluk, Madurai District opposite to Mattuthavani Bus Stand.



2. The contention of the petitioner is that the trust was founded by Sri Sooravali Subbier in the year 1842, who is the father of Diwan Bahadur Dr.Sir.Justice S.Subrmania Iyer, a former Judge of the Madras High Court. The affairs of the trust are governed by a scheme decree, dated 06.09.1934 passed in O.S.No.13 of 1932. Under the scheme, the right of the management of the Trust and its properties vested in the agnate male descendants of the Sooravali Subbier. The petitioner spends the income of the trust for running a Yajur Veda Patasala, feeding, clothing and teaching the students in the said patasala.

3. The property situated in S.No.173/1B, Tallakulam Village, Madurai North Taluk, Madurai District opposite to Mattuthavani Bus Stand is a prime property. The petitioner understands that the TASMAC outlet is to be opened in the petitioner's property. The petitioner already sent his objections despite the same, the respondents are determined to open the TASMAC outlet.

4. The learned Government Advocate for the first respondent submits that he had not received any proposal from the third respondent for starting the TASMAC retail outlet in the property of the petitioner.

5. The learned counsel for the respondents 2 and 3 produced the letter in Na.Ka.No.1181/2021/A5, dated 03.01.2022 confirming that the TASMAC has no such proposal to open the outlet in the petitioner's property more particularly in the Sooravali Subbier Trust's property in S.No.173/1B, Tallakulam Village, Madurai North Taluk, Madurai District opposite to Mattuthavani Bus Stand.

6. Recording the same, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

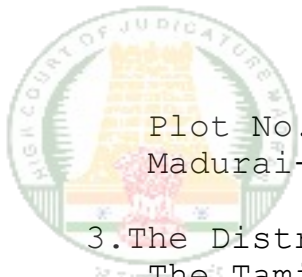
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To

1.The District Collector,
Madurai District.

2.The Senior Regional Manager,
The Tamil Nadu State Marketing Corporation Limited,

<https://hcservices.ecourts.gov.in/hcservices/>



Plot No.100, Anna Nagar,
Madurai-625020.

3.The District Manager,
The Tamilnadu State Marketing Corporation Limited,
Madurai District,
Manalur,
Sivagangai District.

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-24983[F] dated
10/06/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-25115[F] dated 10/06/2022)

+1 CC to M/s.SPL.GP (SR-25174[F] dated 10/06/2022)

W.P (MD) .No.23877 of 2017
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SB (CO)
KB (17.06.2022) 3P 7C