



WEB COPY



W.P. No.2422 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.2422 of 2023

Dr.S.Narayanasamy

... Petitioner

vs.

1.The District Collector,
Office of the Coimbatore District Collector,
No.7/1, State Bank Road,
Gopalapuram,
Coimbatore – 641 018.

2.The Managing Director,
TASMAC Ltd., 4th Floor,
CMDA Tower – II, Egmore,
Chennai – 600 008.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to remove or re-locate the TASMAC Shop bearing No.2251 situated at Gothandaraman Iyer Street, Gandhi Maidanam, Mettupalayam, Coimbatore by considering the petitioner's representations dated 04.11.2022 and 17.11.2022 within a stipulated period as fixed by this Court.

For petitioner : Mr.M.Mohamed Riyaz
For respondents : Mr.K.Sathish Kumar,
Standing Counsel for R2 for TASMAC
Mr.R.Neethiperumal,
Government Advocate for R1

ORDER



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By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2.This writ petition has been filed seeking for a direction to the respondents to remove or re-locate the TASMAC Shop bearing No.2251, situated at Gothandaraman Iyer Street, Gandhi Maidanam, Mettupalayam, Coimbatore by considering the petitioner's representations dated 04.11.2022 and 17.11.2022, within a stipulated period as may be fixed by this Court.

3.The petitioner claims to be a practicing Doctor and he is residing at Gothandaraman Iyer Street, Gandhi Maidanam, Mettupalayam, Coimbatore. According to the petitioner, next to his residence, there is a TASMAC shop bearing No.2251, which is causing nuisance not only to the petitioner, but also to others who are either residing in the same street or passing through the same street. According to the petitioner, several drunken men are causing disturbance to the peace in the said area. In such circumstances, the petitioner has given representations on 04.11.2022 and 17.11.2022 requesting the respondents to remove or re-locate the TASMAC Shop bearing No.2251 referred to supra. Since



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the representations have not been considered till date, this writ petition has been filed.

4. Heard Mr.M.Mohamed Riyaz, learned counsel for the petitioner, Mr.R.Neethiperumal, learned Government Advocate, who accepts notice on behalf of the first respondent and Mr.K.Sathish Kumar, learned Standing Counsel, who accepts notice on behalf of the second respondent.

5.The petitioner has filed photographs of the subject TASMACH Shop as well as the drunken people standing in the said area. The petitioner is a practicing Doctor and he is having his residence there.

6.Learned Government Advocate appearing for the first respondent, on instructions, would submit that no rules have been violated for setting up the subject TASMACH in the aforementioned place.

7.This Court is of the considered view that no prejudice would be caused to the respondents if the petitioner's representations referred to supra seeking for removal or re-location of the TASMACH Shop bearing



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No.2251 is considered, on merits and in accordance with law, within a time frame to be fixed by this Court.

8.For the foregoing reasons, this writ petition is disposed of by directing the first respondent to pass final orders, on merits and in accordance with law on the petitioner's representations dated 04.11.2022 and 17.11.2022 requesting the respondents to remove or re-locate the TASMAL Shop bearing No.2251, situated at Gothandaraman Iyer Street, Gandhi Maidanam, Mettupalayam, Coimbatore, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

01.02.2023

vga



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ABDUL QUDDHOSE, J.

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