



WEB COPY



W.P. No.3992 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2023

CORAM :

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.3992 of 2023

and

W.M.P. No.4046 of 2023

Alliance Canal Road Residents
Welfare Association (Regd.)
rep. by its Treasurer Babu.

.. Petitioner

vs

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The District Collector,
Chennai District,
Chennai – 600 001.

3. The Senior Regional Manager,
TASMAC, No.735,
LLA Building 4th Floor,
Anna Salai,
Chennai – 600 006.

4. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
TASMAC,
Thalamuthu Natarajan Building,
Gandhi Irvin Road,
Egmore,
Chennai – 600 008.



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5. The District Manager,
TASMAC,
No.1, Bangalore High Road,
Thirumazhisai,
Sembarambakkam,
Thiruvallur East,
Chennai – 600 123.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ forbearing the respondents their men and people or any Subordinates or any others claiming through them from in any manner locating or opening and functioning a TASMAC retail vending shop at Water Canal Road, Venkateswara Nagar at Plot No.27, 28, Korattur, Chennai – 600 076.

For Petitioner	:	Mr.P.Singaram
For Respondents	:	Mr.S. Ravikumar, Spl. Govt. Pleader for R1 & R2 Mr.K.Balakrishnan, Standing counsel for R3 to R5

ORDER

By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Mr.S.Ravikumar, learned Special Government Pleader accepts notice for the 1st and 2nd respondents and Mr.K.Balakrishnan, learned Standing counsel accepts notice for the respondents 3 to 5.



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3. The grievance of the petitioner is that if the TASMACH retail vending shop is opened at Water Canal Road, Venkateswara Nagar at Plot Nos.27 and 28, Korattur, Chennai – 600 076, the residents in that area will be affected. According to the petitioner, which is a resident Welfare Association catering to the interest of the residents in that area, there are several places of worship and residences in the subject area, where TASMACH retail vending shop is proposed to be started. The petitioner has given several representations to the respondents including the last representation, dated 08.08.2022 requesting the respondents not to open TASMACH shop in the aforementioned place. Since the representations have not been considered till date, this writ petition has been filed.

4. Heard Mr.P.Singaram, learned counsel for the petitioner, Mr.S.Ravikumar, learned Special Government Pleader for the 1st and 2nd respondents and Mr.K.Balakrishnan, learned Standing counsel accepts notice for the respondents 3 to 5.

5. On instructions, the learned Standing counsel for the respondents 3 to 5 would submit that as on date, the TASMACH shop has not been opened. He would also submit that since representations have already been given by the petitioner, the respondents will consider the



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same on merits and in accordance with law, within a time frame to be fixed by this Court.

6. No prejudice would be caused to the respondents, if the representations of the petitioner as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the 5th respondent to pass final orders on merits and in accordance with law on the petitioner's last representation dated 08.08.2022 seeking to forebear the respondents from opening TASMAR retail vending shop at Water Canal Road, Venkateswara Nagar at Plot Nos.27 and 28, Korattur, Chennai – 600 076, within a period of four weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No
Neutral Citation:Yes/No
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ABDUL QUDDHOSE, J.

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To

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