



WEB COPY



W.P.No.7226 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

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THE HONOURABLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7226 of 2023

N.Manoharan

.. Petitioner

Versus

1.The District Collector,
Chennai District.

2.The Revenue Divisional Officer,
Chennai Revenue Division,
Chennai.

3.The Managing Director,
Tamilnadu State Marketing Corporation (TASMAC),
Thalaimuthu Varadarajan Building,
Egmore, Chennai.

4.The District Manager,
Tamilnadu State Marketing Corporation (TASMAC),
Chennai District.

5.The Inspector of Police,
G2 Periamet Police Station,
Chennai.

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus forbearing the respondents, their officers, subordinates or any one acting through them from in any manner establishing/opening Tasmac Shop at No.34/42 Naval Hospital Road, Periamet, Chennai-3, based on petitioner's representation dated 22.10.2022.



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For Petitioner	: Mr.Uma Shankar
	for Mr.A.M.Amutha Ganesh
For R1,2&5	: Mr.P.Muthukumar, State Govt. Pleader
For R3 & R4	: Mr.K.Sathish Kumar, Standing Counsel

ORDER

(Order of the Court was delivered by The Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking for issuance of a writ of mandamus forbearing the respondents, their officers, subordinates or any one acting through them from in any manner establishing/opening Tasmac Shop at No.34/42 Naval Hospital Road, Periamet, Chennai-3, based on his representation dated 22.10.2022.

2. Learned counsel for the petitioner would submit that from the proposed TASMAC shop, the Government Arts College is situated within 70 meters, besides, the Government Veterinary College, ST. Joseph School, St.Joseph Church and Muslims Prayer Hall are situated within 90 meters. Therefore, it is not open to the respondents to open the TASMAC shop in the place in question.

3. When the matter is taken up, Mr.P.Muthukumar, learned State Government Pleader, drawing out notice to a letter dated 02.03.2023 of the Inspector of Police, G2 Periamet Police Station, Chennai/fifth respondent herein addressed to the Assistant Commissioner of Police, Veppery Range, Chennai, submitted that in view of objections raised by the public residing in the said vicinity, the Inspector of Police/fifth respondent herein has already



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recommended not to have the proposed TASMAC shop and to shift the same to some other place citing law and order issue.

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4. Mr.K.Sathish Kumar, learned Standing Counsel for the TASMAC submitted that the Government have already dropped the proposal of establishing a TASMAC shop in the place in question, in view of the objections raised by the public residing in the said vicinity.

5. Recording the letter dated 02.03.2023 of the fifth respondent as well as the submission of the learned Standing Counsel for the TASMAC, nothing survives for further adjudication in this matter and accordingly, the writ petition stands closed. We wish to place on record our appreciation to the Inspector of Police, G2 Periamet Police Station, Chennai, in fairly recommending not to have the shop in the place in question. No Costs. WMP.No.7273 of 2023 is closed.

(T.R., ACJ.) (D.B.C., J.)
07.03.2023

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THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.
rkm

To

- 1.The District Collector,
Chennai District.
- 2.The Revenue Divisional Officer,
Chennai Revenue Division,
Chennai.
- 3.The Managing Director,
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