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W.P.No.30467 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.10.2023

CORAM

**THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.No.30467 of 2023  
and W.M.P.No.30087 of 2023

Chithra

... Petitioner

**Vs.**

1.The District Collector,  
Tiruppur.

2.The Managing Director,  
Tamil Nadu State Marketing Corporation Ltd.,  
(TASMAC),  
CMDA Tower – II, 4<sup>th</sup> Floor,  
Gandhi Irwin Bridge Road,  
Egmore, Chennai – 600 008.

3.The District Manager,  
Tamil Nadu State Marketing Corporation Ltd.,  
(TASMAC),  
Tamil Nadu Ware Housing Corporation,  
Angeripalayam, Tirupur – 641 602.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, seeking to direct the respondents not to shift/relocate the TASMAC Shop No.1939 from the petitioners



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building bearing SF.No.515, Ward 19, T.N.K Puram, Kongu Main Taluk, Tirupur District by considering the petitioner representation dated 03.10.2023.

For Petitioner : Mr.C.Kulanthaivel  
For R1 : Mr.S.Ravikumar  
Special Government Pleader  
For R2 & R3 : Mr.M.Sekar  
Standing Counsel

### **ORDER**

Mr.S.Ravikumar, learned Special Government Pleader takes notice for the 1<sup>st</sup> respondent. Mr.M.Sekar, learned Standing Counsel takes notice for the respondents 2 and 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2.This writ petition has been filed by the petitioner seeking to direct the respondents not to shift/relocate the TASMACH Shop No.1939 from the petitioners building bearing SF.No.515, Ward 19, T.N.K



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Puram, Kongu Main Taluk, Tirupur District by considering the petitioner representation dated 03.10.2023.

3.Learned counsel for the petitioner submitted that the petitioner leased out his property to TASMACH Shop No.1939 in the year 2004 and every year the lease period has been renewed. While so, at the instigation of someone, the respondents intended to shift the said TASMACH shop from the petitioner's property to some other place. Since the petitioner has invested huge money for the construction of shop and provision of bar, if the shop and bar is shifted from the petitioner's property, she will be put to a great loss. Therefore, the petitioner made a representation to the 3<sup>rd</sup> respondent on 13.09.2023 and to the 2<sup>nd</sup> respondent on 03.10.2023 in this regard and the same has not been considered. Hence, the present writ petition has been filed.

4.Mr.Sekar, learned Standing Counsel appearing for the respondents 2 and 3 submitted that the petitioner's representations dated 13.09.2023 and 03.10.2023 will be considered in accordance with law.



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5.Considering the submissions made by the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondents 2 and 3, the respondents 2 and 3 are directed to consider the representations dated 13.09.2023 and 03.10.2023 made by the petitioner, on merits and in accordance with law and dispose of the same within a period of six weeks from the date of receipt of copy of this order, without being influenced by any of the observation made by this Court.

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

**19.10.2023**

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

rst



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**To:**

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**KRISHNAN RAMASAMY.J.,**  
rst

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19.10.2023