



WEB COPY



W.P.No.34872 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34872 of 2022

M.Saravanan

.. Petitioner

Vs

1.The District Collector,
Erode District, Erode.

2.The District Manager,
TASMAC,
Erode, Erode District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents from shifting the TASMAC shop No.3855 from Lakkapuram to the bank of Cauvery River adjacent to Cauvery Bridge Ladies bath place at Kokkarayanpettai-Lakkapuram Road, Opposite Muniappan Temple, Modakkurichi Taluk, Erode District.



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For the Petitioner : Mr.C.Prakasam

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent No.1

: Mr.M.Sekar
Standing Counsel
for respondent No.2

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

M.Saravanan, son of Moorthy, has filed this writ petition seeking issuance of a writ of mandamus forbearing the respondents from shifting the TASMACH shop No.3855 from Lakkapuram to the bank of Cauvery River adjacent to Cauvery Bridge Ladies bath place at Kokkarayanpettai-Lakkapuram Road, Opposite Muniappan Temple, Modakkurichi Taluk, Erode District.

2. Mr.C.Prakasam, learned counsel appearing for the petitioner, submitted that TASMACH Shop No.3855 is operating at Lakkapuram Village, Modakurichi taluk, Erode District, which is a remote place and there is no disturbance to the public. However, he pleaded that the



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respondents are taking steps to shift the aforesaid TASMAC shop to the bank of Cauvery River, adjacent to Cauvery River Bridge and Boat Dock, which place is being used by women and children for several years for bathing and washing. If the TASMAC shop is shifted to the proposed place, it will cause public nuisance and persons who consume overdose of liquor may create law and order problem.

3. Mr.M.Sekar, learned counsel appearing for the second respondent, dispelling the apprehension expressed by learned counsel for the petitioner, submitted that there is no proposal to shift TASMAC Shop No.3855 from Lakkapuram Village to the bank of Cauvery River, adjacent to Cauvery River Bridge and Boat Dock. In support of the aforesaid submission, learned counsel for the second respondent also produced a copy of the written instructions received by him from the second respondent.

4. In view of the aforesaid submission made by learned counsel for the second respondent, the prayer made in the writ petition has become infructuous. The writ petition is, therefore, closed. There will



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be no order as to costs. Consequently, W.M.P.No.34288 of 2022 is closed.

(T.R., ACJ.) (D.B.C., J.)
02.01.2023

Index : No
sasi

To:

- 1.The District Collector,
Erode District, Erode.
- 2.The District Manager,
TASMAC,
Erode, Erode District.



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T.RAJA, ACJ.
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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