



W.P(MD)No.1349 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.1349 of 2023
and
W.M.P(MD)No.1238 of 2023**

M.Ramesh

... Petitioner

VS.

- 1.The District Collector,
Theni District,
Theni.
- 2.The Managing Director,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
4th Floor, C.M.D.A Buildings,
Egmore,
Chennai – 600 008.
- 3.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Plot No.100, Anna Nagar,
Madurai – 625 020.
- 4.The District Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Karuvelnayakkanpatti,
Theni – 625 531.



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5.The Superintendent of Police,
Theni District, Theni.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents from opening a TASMAL shop at Kamaraj Bazaar, Bodinayakkanur Town, Theni District.

For Petitioner	: Mr.K.Gokul
For R – 1	: Mr.P.Thilak Kumar Government Pleader
For RR 2 to 4	: Mr.S.Sivanesan Standing Counsel
For R – 5	: Mr.S.Manikandan Government Advocate (Criminal Side)

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The prayer in this Writ Petition is seeking for issuance of a Writ of Mandamus, forbearing the respondents from opening a TASMAL shop at Kamaraj Bazaar, Bodinayakkanur Town, Theni District.



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2.Today, when the matter was taken up for hearing, the learned standing counsel appearing for the respondents 2 to 4 submitted that the aforesaid proposal is pending before the first respondent/District Collector in Na.Ka.No.8525/2022/A3, dated 09.12.2022.

3.The learned counsel appearing for the petitioner submitted that the petitioner made an objection before the first respondent/District Collector on 26.12.2022 and the same is pending.

4.Considering the submissions made on either side, in the light of Rule 9 of the Tamil Nadu Retail Vending (In Shops and Bars) Rules, 2003, the first respondent/District Collector is directed to consider the representation of the petitioner, dated 26.12.2022 and pass orders as early as possible.



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5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
24.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes

To

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Theni District,
Theni.
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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.1349 of 2023

DATED : 24.01.2023