



W.P.(MD) No.9665 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.9665 of 2023

K.Kalairajan

... Petitioner

-VS-

1. The District Collector,
Ramanathapuram District, Ramanathapuram.

2. The District Manager,
Tamilnadu State Marketing Corporation
Ltd., (TASMAC),
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents to remove the TASMAC shops No. 6990, 7035 located at Panavayal Village, Thiruvadanai Taluk, Ramanathapuram District, based on the petitioner's representation dated 04.07.2022 within the time stipulated by this Hon'ble Court.



W.P.(MD) No.9665 of 2023

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.P.Thilak Kumar,
Government Pleader for R1
Mr.S.Sivanesan
Standing Counsel for R2

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.P.Thilak Kumar, learned Government Pleader takes notice for the first respondent and Mr.S.Sivanesan, learned Standing Counsel takes notice for the second respondent.

2. The prayer in the writ petition reads as follows:-

“To issue a Writ of Mandamus directing the 1st and 2nd respondents to remove the TASMACH shops No. 6990, 7035 located at Panavayal Village, Thiruvadanai Taluk, Ramanathapuram District, based on the petitioner's representation dated 04.07.2022 within the time stipulated by this Hon'ble Court.”



W.P.(MD) No.9665 of 2023

WEB COPY

3. Pursuant to our directions issued on 12.06.2023, the Special Deputy Collector, Social Security Scheme, Ramanathapuram, who is also the Personal Assistant (General) to the Collector, Ramanathapuram, has filed a status report indicating the distance between the two shops and the Kottai Mariamman Temple. From the report, it is found that Shop No.6990 and the bar attached to it are within the prohibited distance of 100 meters from the Kottai Mariamman Temple. Hence, there will be a direction to the second respondent to close the shop within a period of fifteen (15) days from today. As far as the other shop is concerned, it is outside the 100 meters periphery and it is also stated that the bar that is situated in the northern side of it, which may be a little closer to the temple is not functioning. The second respondent is directed to ensure that the bar does not function or the location of it is changed to a place beyond 100 meters from the temple.

4. We place on record our sincere appreciation for the alertness shown by the Sub Collector, Ramanathapuram, in filing the report pursuant to our directions without seeking time.



W.P.(MD) No.9665 of 2023

WEB COPY

5. This writ petition is therefore partly allowed. No costs.

[R.S.M., J.]

[L.V.G., J.]

21.06.2023

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

To:

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W.P.(MD) No.9665 of 2023

R.SUBRAMANIAN, J.
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W.P.(MD) No.9665 of 2023

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