



W.P.(MD)No.16459 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.16459 of 2023

J.R.Sivaperumal

... Petitioner

vs.

1.The Regional Manager (TASMAC),
(Tamil Nadu State Marketing
Corporation Limited (TASMAC)),
Plot No. 100, Anna Nagar,
Madurai - 625 020.

2.The District Collector,
Theni Collectorate,
Theni - 625 531, Theni District.



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3.The District Manager (TASMAC),
(Tamil Nadu State Marketing
Corporation Limited (TASMAC)),
IMFS Department,
Karuvelnaikkanpatti, Theni - 625 531. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 herein to vacate the illegal shop running by the TASMAC Liquor Shop No.8569 in Survey Numbers- 832/2A and 832/2C, Pallavarayanpatti Village, Uthamapalayam Taluk, Theni District, by considering the petitioners representation, dated 27.03.2023.

For Petitioner : No appearance
For R1 & 3 : Mr.S.Sivanesan
For R2 : Mr.C.Baskaran
Government Advocate



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ORDER

This writ petition is filed for writ of Mandamus, to direct the respondents to vacate the illegal shops run by TASMAL in the petitioner's land.

2. The petitioner is the owner of the property situated in Survey Nos. 832/2A and 832/2C, Pallavarayanpatti Village, Uthamapalayam Taluk, Theni District. Admittedly, the petitioner has leased the property to the 3rd respondent who is running the TASMAL shop and has entered into agreement to this effect. The petitioner is seeking a short cut method to evict the 3rd respondent by invoking writ jurisdiction which is not permissible. Hence the writ petition is not maintainable.



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3. Hence, the writ petition is dismissed. No costs. The petitioner is at liberty to seek appropriate remedy before appropriate court of law.

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

07.08.2023

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To

The District Collector,
Theni Collectorate,
Theni - 625 531, Theni District.



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S.SRIMATHY, J

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