



WEB COPY



W.P.No.33202 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMARRAMAMOORTHY

W.P.No.33202 of 2024
and W.M.P.No.35985 of 2024

Jainul Abudeen

... Petitioner

-vs-

1. The Managing Director,
TASMAC, CMDA Tower,
Gandhi Irwin Street, Egmore, Chennai-8.
2. The District Collector,
The Nilgiris District at Ooty.
3. The Revenue Divisional Officer,
Ooty, The Nilgiris District.
4. The Senior Regional Manager,
TASMAC, Vilankurichi Road,
Peelamedu Railway Station Backside,
Chinthamani Cooperative Depot,
Peelamedu, Coimbatore 625 020.



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5. The District Manager,
TASMAC, Ooty, The Nilgiris District.

6. The Assistant Commissioner,
Edcise and Prohibition Department,
Collectorate, Ooty, The Nilgiris District.

7. The Tahsildar,
Ooty Taluk, Ooty, The Nilgiris District.

8. The Manager,
TASMAC, Edappalli, Coonoor,
The Nilgiris District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents from opening any TASMAC shop in and around Masinangudi area, Elephant Corridors, Tiger Reserve Forest Area including the Tamil Nadu Private Forest covered under the provisions of the Tamil Nadu Private Forest Protection Act, 1949, in the Nilgiris District.

For Petitioner : Mr.C.Prakasam

For Respondents : Ms.V.S.Saranya
Stdg. Counsel for RR 1, 4 to 6 & 8

: Mr.A.Edwin Prabakar



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State Govt. Pleader,

Assisted by Mr.M.Mohammed
Rahman, Govt. Advocate,
for RR 2, 3 and 7

* * * * *

ORDER

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

Ms.Saranya appearing for respondents 1, 4 to 6 and 8 says that there is no proposal to open TASMACH shop in elephant corridor. Ms.Saranya, however, candidly states that the TASMACH is proposing to open a retail outlet in Masinangudi area and are in the process of searching for a suitable location. Ms.Saranya states that all rules and regulations will be followed including obtaining approval from the Collector before a retail outlet is opened.

2. The Collector is respondent No.2 in this petition. The Collector will consider the averments in the petition together with documents annexed thereto before granting an approval. It is also open to the



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Collector to call petitioner or other villagers for their comments before he decides to grant approval.

Writ petition is disposed of. There shall be no order as to costs.
Consequently, the interim application is closed.

(K.R.SHRIRAM., C.J.)

(SENTHILKUMARRAMAMOORTHY, J.)

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Index : Yes/No
NC : Yes/No

sra

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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

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