



WEB COPY



W.P. No.34950 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.34950 of 2024

R.Sathish Kumar

... Petitioner

Vs.

- 1.The District Manager, TASMACH,
No.1, Bangalore High Way Road, Thirumazhisai,
Thiruvallur East, Chennai.
- 2.The Managing Director, TASMACH,
4th Floor, Thalamuthu Natarajar Maligai,
Egmore, Chennai-600 008.
- 3.Senior Regional Manager, TASMACH,
Ambathur Industrial Estate,
Chennai -600 058.
- 4.The District Collector,
Chennai District,
Singaravelar Maligai,
4th Floor, Rajaji Salai,
Chennai- 600 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents their men and people, subordinates, or any others claiming through them from in any manner



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locating, or functioning any TASMACH retail vending shop in and around Old Door No.1/118, New Door No.1/97, Poonamallee High Road, Nerkundram, Chennai-600 107 within the Thiruvallur East District and pass orders.

For Petitioner : Mr.S.Balasubramanian
for Mr.P.Singaram

For Respondents : Mr.K.Balakrishnan
Standing Counsel for TASMACH
for respondents 1 to 3

Mr.P.Balathandayutham
Special Government Pleader
for fourth respondent

ORDER

The present Writ Petition is filed for a Mandamus, forbearing their men and people, subordinates, or any others claiming through them from in any manner locating, or functioning any TASMACH retail vending shop in and around Old Door No.1/118, New Door No.1/97, Poonamallee High Road, Nerkundram, Chennai-600 107 within the Thiruvallur East District.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.



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3. It is submitted by the learned counsel for the petitioner that the petitioner had filed a representation dated 27.09.2024, wherein it is inter alia stated that the proposed TASMACH shop may be hit by the distance restrictions in terms of Section 8 of the Act.

4. Learned Standing Counsel for the respondents 1 to 3 would submit that the representation of the petitioner dated 27.09.2024, would be considered and orders would be passed in accordance with law, after hearing the petitioner and any other interested parties/stakeholders.

5. Recording the submission made by the learned Standing Counsel for respondents 1 to 3, there shall be a direction to the Respondents to consider the representation 27.09.2024 of the petitioner, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and any other interested persons/stakeholders, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.



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6. With the above directions, the writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.37904 of 2024 is closed.

27.11.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn

To:

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MOHAMMED SHAFFIQ, J.

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