



W.P.(MD)No.2554 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2554 of 2024

and

W.M.P.(MD)Nos.2562 and 2563 of 2024

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... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai – 625 020.
2. The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation Ltd.,
(TASMAC),
Plot No.10, Anna Nagar,
Madurai – 625 020.
3. The District Manager,
Tamil Nadu State Marketing
Corporation Ltd.,
(TASMAC),
Madurai South District,
4th Compartment, SIPCOT,
Kappalur, Madurai – 625 008.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for records relating to the impugned notice of the 3rd respondent in his proceedings in Ve.A.No.3/Se.Ma.Tho.A/Madurai.20/2024/dated 17.01.2024 for opening the TASMAC bar in TASMAC shop number 5228 at Thottiyappatti Village, Tirupparankundram Taluk, Madurai District and quash the same and consequently, direct the 2nd and 3rd respondents to permanently close the TAMSAC shop No.5228 by taking into consideration of public objections.

For Petitioner : Mr.T.Vadivelan

For R1 : Ms.D.Farjana Ghoushia,
Special Government Pleader

For R2 and R3 : Mr.H.Arumugam,
Standing Counsel

ORDER

The petitioner has filed this writ petition as against the Tender Notification dated 17.01.2024 issued by the 3rd respondent for allotment of a TASMAC Bar.



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2. The grievance of the petitioner is that it is a joint family property and the respondents, without obtaining a No Objection Certificate from the legal heirs of the property, have brought this property for auction and are also attempting to give licence on the said property.

3. It appears that with regard to the subject property, a suit for partition was filed in O.S.No.355 of 2010 and the same is pending before the 1st Additional Sub Court, Madurai.

4. Accordingly, this writ petition is disposed of, with liberty to the petitioner to work out his remedy in O.S.No.355 of 2010 pending before the 1st Additional Sub Court, Madurai. No costs. Consequently, connected miscellaneous petitions are closed.

08.02.2024

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

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B.PUGALENDHI, J.

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