



W.P.(MD) No.6323 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE B.PUGALENDHI

W.P.(MD) No.6323 of 2024

and

W.M.P(MD) No.5918 of 2024

M.Gandhi

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Managing Director,
Tamil Nadu State Marketing Corporation TASMAC,
CMDA Complex, Egmore,
Chennai-600 008.

3.The District Manager,
The Tamil Nadu State Marketing Corporation Limited (TASMAC),
Narikuruvar Colony, Thondi Road,
Palamalai Nagar, Soorankulam Village,
Sivagangai.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus, forbearing the respondents
from shifting the TASMAC Shop No.7621 from Puliyadithambam



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Village, Devakottai Circle, Sivagangai District, till the expiry of the
existing license period.

For Petitioner : Mr.R.Rajeshkumar
For R1 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R2 & R3 : Mr.H.Arumugam

ORDER

The petitioner has filed this writ petition for a mandamus forbearing the respondents from shifting the TASMACH Shop No.7621 from Puliyadithambam Village, Devakottai Circle, Sivagangai District, till the expiry of the existing licence period.

2. The learned counsel for the petitioner submits that the petitioner got a licence for the right to collect empty bottles and to sell eatables at the bar attached to TASMACH shop No.7621. The said licence was issued to the petitioner pursuant to the public auction conducted on 07.02.2024. The petitioner has quoted a sum of Rs.82,400/- and he was declared to be



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the highest bidder. At the instance of some political parties, the respondents 2 and 3 are attempting to shift the TASMAC shop from Puliadithambam Village to some other place. This attempt is made in order to satisfy the political persons and also to allot the licence for the right to collect empty bottles and to sell the eatables to the benami of the politician.

3. The learned counsel appearing for the respondents 2 and 3 submitted that in view of the objection of the public, the respondents 2 and 3 are now intending to shift the TASMAC shop to some other place and they have already made a proposal to the District Collector in this regard and the same is pending.

4. Though the petitioner has made certain allegations that the respondents 2 and 3 are attempting to favour the third party, the petitioner has not made any specific allegation against anybody. Moreover, it is the policy of the TASMAC to run the shop depending upon the wish of the surrounding peoples. In view of the same, this Court is not inclined to entertain this writ petition. Accordingly, this Writ



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Petition is dismissed. However, liberty is granted to the petitioner to claim damages as against the respondents 2 and 3, if he has invested any amount pursuant to the public auction. No costs. Consequently, connected miscellaneous petition is closed.

20.03.2024

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

To

The District Collector,
Sivagangai,
Sivagangai District.



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B.PUGALENDHI,J

cp

W.P.(MD)No.6323 of 2018

Dated: 20.03.2024