



W.P.(MD)No.29985 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.29985 of 2024

Selvamariappan

: Petitioner

Vs.

1.The Managing Director,

Tamil Nadu State Marketing Corporation (TASMAC),

Thalaimuthu Varadarajan Building,

Egmore,

Chennai.

2.The District Collector,

Office of the District Collector,

Tenkasi District.

3.The Senior Regional Manager,

Tamil Nadu State Marketing Corporation (TASMAC),

Annanagar,

Madurai – 625 020.



W.P.(MD)No.29985 of 2024

WEB COPY

4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Tenkasi,
Tenkasi District. : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents herein not to shift the present existing TASMAC shop No.10673 from its present location ie., situated at Rajapalayam Main Road, Sankarankovil Municipality, Tenkasi District to any other location by considering the petitioner's representation dated 03.12.2024.

For Petitioner : Mr.N.Saravanan
For Respondents 1&2 : Mr.P.Thilak Kumar
Government Pleader
For Respondents 3&4 : Mr.S.Sivanesan
Standing Counsel

O R D E R

[Order of the Court was made by M.S.RAMESH, J.]

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



W.P.(MD)No.29985 of 2024

WEB COPY

2.This writ petition has been filed for a Mandamus to direct the respondents herein not to shift the present existing TASMACH shop No.10673 from its present location ie., situated at Rajapalayam Main Road, Sankarankovil Municipality, Tenkasi District to any other location by considering the petitioner's representation dated 03.12.2024.

3.The petitioner herein had given a representation to the respondents 1 to 4 on 03.12.2024, not to shift the TASMACH shop No.10673 from its present location. Since the said representation was not considered, the present writ petition has been filed.

4.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.



W.P.(MD)No.29985 of 2024

WEB COPY

5.In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 03.12.2024, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

[M.S.R.,J.] & [A.D.M.C.,J.]

11.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



WEB COPY



W.P.(MD)No.29985 of 2024

To

1.The Managing Director,
Tamil Nadu State Marketing Corporation (TASMAC),
Thalaimuthu Varadarajan Building,
Egmore,
Chennai.

2.The District Collector,
Office of the District Collector,
Tenkasi District.

3.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Annanagar,
Madurai – 625 020.

4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Tenkasi,
Tenkasi District.



WEB COPY



W.P.(MD)No.29985 of 2024

M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.29985 of 2024

11.12.2024