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W.P.No.15619 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

**W.P.No.15619 of 2025**

K.Rathinam

...Petitioner

Vs.

1. The District Collector,  
Salem.

2. The District Manager,  
TASMAC, Salem.

...Respondents

### **Prayer**

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 10.03.2025 and to direct the respondents to take further action to shift TASMAC Shop No.7433 in accordance with the proceedings in Na.Ka.No.38/2025 dated 30.01.2025 by invoking Article 226 of the Constitution of India.

For Petitioner : Mr.S.Kumaraganeshan

For Respondent-1 : Mr.P.Balathandayutham  
Special Government Pleader

For Respondent-2 : Mr.M.Sekar  
Standing Counsel



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**Order**

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Heard Mr.S.Kumaraganeshan learned counsel appearing for the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader, who takes notice for respondent No.1 and Mr.M.Sekar, the learned Standing Counsel who takes notice on behalf of the respondent No.2. With consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer in the Writ Petition is for issuance of a mandamus directing the first respondent to consider the petitioner's representation dated 10.03.2025 and to direct the respondents to take further action to shift TASMACH Shop No.7433 in accordance with the proceedings of the second respondent dated 30.01.2025.

3. The learned counsel for the petitioner would submit that the petitioner has submitted a representation dated 10.03.2025 to the respondents requesting the respondents to shift the TASMACH Shop, which has been running in his premises and to hand over the property, and since the



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said representation has not evoked any response, the petitioner has filed the present Writ Petition seeking for the aforesaid relief.

4. The learned Special Government Pleader for the respondent No.1 would submit that the representation made by the petitioner would be considered and disposed of within the time as prescribed by this Court.

5. The grievance expressed by the petitioner is that the petitioner has let out his premises situated at Vellakalpatti for operation of TASMACH Shop for several years. Now, the petitioner, being a Sexagenarian (69 years old) is suffering from age related ailments, and that he intends to alienate the premises for the purpose of availing funds to meet out his medical expense. Hence, the petitioner, being the owner of the property made a representation dated 10.03.2025 to the respondents seeking vacation of the premises and to handover vacant possession. In fact, the second respondent, considering the representation made by the petitioner, vide proceedings dated 30.01.2025, accepted the request made by the petitioner and also informed the petitioner that instruction has been given to the Supervisor of the TASMACH Shop to



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look for an alternate shop and assured the petitioner that the shop would be shifted to various place as soon as possible. However, as on date, since no action has been taken, the petitioner made a representation to the first respondent/District Collector to pass orders in accordance with the proceeding issued by the second respondent. Even the first respondent took no steps to redress the grievance expressed by the petitioner in his representation. Aggrieved by such inaction on the part of the first respondent, the petitioner is before this Court by way of present Writ Petition seeking for the relief, as stated supra.

6. In the light of the above said facts and also taking into consideration of the submission made by the learned Special Government Pleader for the respondent No.1, the District Collector, is inclined to direct the first respondent to consider and dispose of the petitioner's representation in a time bound manner.

7. Accordingly, the Writ Petition is disposed of with a direction to the first respondent to consider the representation made by the petitioner



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dated 10.03.2025 in accordance with the proceeding issued by the second respondent dated 30.01.2025 and dispose of the same as early as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order. No costs.

**29.04.2025**

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Index : yes/no

Neutral Citation : yes/no

To

1. The District Collector,  
Salem.
2. The District Manager,  
TASMAC, Salem.

**Krishnan Ramasamy,J.,**

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