



W.P.(MD)No.2739 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.2739 of 2025

and

W.M.P.(MD)No.1910 of 2025

S.Kodieswaran

: Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC),
CMDA Tower – II, 4th Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai.



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3.The Regional Zonal Manager,
TASMAC,
No.100, Anna Nagar,
Madurai.

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

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 in shifting or closing the TASMAC liquor shop No.5201 situated in T.S.No.113/3, 120 Feet Road running from Mattuthavani to Surveyor Colony, Madurai which is a temple land belongs to Meenakshi Sundareshwarar Temple as per the revenue records itself by considering petitioner's representation dated 21.11.2024 within the time frame fixed by this Court.



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For Petitioner : Mr.R.Tamilvanan
For Respondent No.1 : Mr.P.Thilak Kumar
Government Pleader
For Respondents 2 to 4 : Mr.H.Arumugam,
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.

2.This writ petition has been filed for a Mandamus to direct the respondents 1 to 4 in shifting or closing the TASMAL liquor shop No. 5201 situated in T.S.No.113/3, 120 Feet Road running from Mattuthavani to Surveyor Colony, Madurai which is a temple land belongs to Meenakshi Sundareswarar Temple as per the revenue records itself by considering petitioner's representation dated 21.11.2024.



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3.The petitioner herein had given representation to the respondents on 21.11.2024, in this regard. 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.

5.In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 21.11.2024, on its own merits and pass appropriate orders in accordance with law, within a period of three [3] months from the date of receipt of a copy of this order. It is made clear that this Court has not



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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. Consequently, the connected miscellaneous petition is closed.

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

30.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

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