



W.P.(MD)No.31236 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.31236 of 2024

S.Rajendran

: Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Dindigul District – 624 004.
- 2.The District Superintendent of Police,
Office of Superintendent of Police,
Dindigul District – 624 004.
- 3.The President (TASMAC),
Tamil Nadu State Marketing Corporation Limited,
(TASMAC),
CMDA Tower – 2, 4th Floor,
Gandhi Irvin Bridge Road, Egmore,
Chennai – 600 008.



W.P.(MD)No.31236 of 2024

WEB COPY

4.The Managing Director,

TASMAC,

Office of the Director of TASMAC,

CMDA Tower – 2, 4th Floor,

Gandhi Irvin Bridge Road,

Egmore, Chennai – 600 008.

5.The Principal Zonal Manager, TASMAC,

State Marketing Corporation (TASMAC),

Plot No.100, Anna Nagar,

Madurai – 625 020.

6.The Senior District Manager (TASMAC),

TASCO Division, Mullipadi,

Dindigul District – 624 005.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, forbearing the respondents from shifting / establishing the TASMAC shop No.3392 situated at Koombur Village to Nagulupatti Pirivu, Nagulupatti Village, Gujiliamparai Taluk, Dindigul District and based on petitioner's representation dated 13.12.2024 and Resolution No.24.



WEB COPY



W.P.(MD)No.31236 of 2024

For Petitioner : Mr.K.S.Duraipandian

For Respondent No.1 : Mr.P.Thilak Kumar

Government Pleader

For Respondent No.2 : Mr.P.Kottaismy

Government Advocate [Crl. Side]

ORDER

[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 forbear the respondents from shifting / establishing the TASMACH shop No.3392 situated at Koombur Village to Nagulupatti Pirivu, Nagulupatti Village, Gujiliamparai Taluk, Dindigul District and based on the petitioner's representation dated 13.12.2024 and Resolution No.24.

3.The petitioner herein had given a representation to the respondents on 13.12.2024, in this regard. Since the said representation was not considered, the present writ petition has been filed.



W.P.(MD)No.31236 of 2024

WEB COPY

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 respondents to consider the petitioner's representation dated 13.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein, as well as all other persons, who may be interested in the subject property, 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 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.



W.P.(MD)No.31236 of 2024

WEB COPY

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.]

06.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



W.P.(MD)No.31236 of 2024

WEB COPY

To

- 1.The District Collector,
Office of the District Collector,
Dindigul District – 624 004.
- 2.The District Superintendent of Police,
Office of Superintendent of Police,
Dindigul District – 624 004.
- 3.The President (TASMAC),
Tamil Nadu State Marketing Corporation Limited,
(TASMAC),
CMDA Tower – 2, 4th Floor,
Gandhi Irvin Bridge Road, Egmore,
Chennai – 600 008.
- 4.The Managing Director,
TASMAC,
Office of the Director of TASMAC,
CMDA Tower – 2, 4th Floor,
Gandhi Irvin Bridge Road,
Egmore, Chennai – 600 008.



W.P.(MD)No.31236 of 2024

WEB COPY

5.The Principal Zonal Manager, TASMAC,
State Marketing Corporation (TASMAC),
Plot No.100, Anna Nagar,
Madurai – 625 020.

6.The Senior District Manager (TASMAC),
TASCO Division, Mullipadi,
Dindigul District – 624 005.



WEB COPY



W.P.(MD)No.31236 of 2024

M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

W.P.(MD)No.31236 of 2024

06.01.2025