



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2016

CORAM:

WEB COPY

THE HON'BLE **MR. JUSTICE K.KALYANASUNDARAM**

W.P(MD) No.18633 of 2016

Vasanthakumar

... Petitioner

-vs-

1.The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

3.The Inspector of Police,
Moolaikaraipatti Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents not to prevent in any manner, the peaceful running of the petitioner's petty and tea shop situated in Survey No.1239/3A Moolaikaraipatti Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.K.P.Krishna Doss
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents not to prevent in any manner, the peaceful running of the petitioner's petty and tea shop situated in Survey No.1239/3A, Moolaikaraipatti Village, Nanguneri Taluk, Tirunelveli District.

2. Mr.K.P.Krishna Doss, learned Government Advocate, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/> the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.



4. The learned counsel for the petitioner would submit that the petitioner was a licensee for running a Tosmac Bar and after expiry of the license in the year 2016, the petitioner is running a tea shop. While so, the second and third respondent police repeatedly threatened the petitioner that they would file a false case against him. So, he sent a representation to the first respondent on 16.09.2016. Since it was not considered, he has come up with this petition.

5. The learned Government Advocate appearing for the respondents, on instructions, would submit that after expiry of the Bar license, the petitioner is still selling liquor in the same place for which the third respondent has registered a case against him in Crime Nos.32 of 2015 and 6 of 2016 and the petitioner also accepted the guilty and paid the fine amount.

6. Considering the submissions made by both sides, the first respondent is directed to consider the representation of the petitioner dated 16.09.2016 and take action as per law on merits and in accordance with law as expeditiously as possible and communicate the decision to the petitioner forthwith.

7. With the above direction, this writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

3.The Inspector of Police,
Moolaikaraipatti Police Station,
Tirunelveli District.

+1 cc to MR.C.K.M.APPAJI, Advocate SR.No.64395

+1 cc to Special Government Pleader SR.No.64769

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