

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.04.2017
CORAM
The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.9373 of 2017
and
W.M.P.No.10342 of 2017

D.Ramesh

.. Petitioner

vs.

1.The District Collector,
Namakkal District, Namakkal.

2.The Senior Regional Manager,
TASMAC, Azhagapuram, Salem.

3.The District Manager,
TASMAC, Krishnapuram,
Namakkal-3.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents from either opening any TASMAC Shop or shift the Shop No.6221 in the petitioner's village viz., Rakkiyavalasu Road, Mudalapalayam, Molasi Village Panchayat, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.R.Vijayakumar, Addl.G.P

For R-1

: Mr.B.Nedunchezhiyan
for RR 2 and 3

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O R D E R
(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition filed in public interest relates to the relocation of the liquor shop pursuant to the judgment dated 31st March, 2017 of the Supreme Court of India in Civil Appeal Nos.12614 - 12616 of 2016.

2. The petitioner has sought orders restraining the respondents from relocating the TASMAL Shop No.6221 to the village of the petitioner i.e.,Mudalappalayam, Molasi Village, as there are temples and schools nearby.

3. After hearing the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the respondents, we dispose of the writ petition by directing respondent No.1 / District Collector, Namakkal, to consider the representation of the petitioner dated 11th April, 2017 at page No.1 of the typed set of papers in accordance with law. No costs. Consequently, W.M.P.No.9373 of 2017 is closed.

4. Needless to mention that the liquor shop shall only be relocated in accordance with law and in particular the Tamil Nadu Liquor Retail Vending (Inshops and Bars) Rules, 2003 framed under the Tamil Nadu Prohibition Act, 1937, taking into consideration the judgments of the Supreme Court of India and of this Court in this regard.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To:

1.The District Collector,
Namakkal District, Namakkal.

2.The Senior Regional Manager,
TASMAL, Azhagapuram, Salem.

3.The District Manager,
TASMAL, Krishnapuram,
Namakkal-3.

+1 cc to Government Pleader sr 23434

+1 cc to M/s.C.Prakasam Advocate sr 23738

W.P.No.9373 of 2017

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