

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.9395 of 2017
&
WMP.No.10363 of 2017

N.Kasirajan

.. Petitioner

vs.

- 1.The District Collector,
Erode District, Erode
- 2.The Sub Collector,
Gobichettipalayam, Erode.
- 3.The District Manager,
TASMAC, Suriyampalayam Pirivu,
Opp. To Vasavi College,
Chiththodu, Erode District.
- 4.The Tahsildar,
Gobichettipalayam,
Erode District.
- 5.The Inspector of Police,
Bangalapudur Police Station,
Bangalapudur, Erode District.
- 6.The Executive Officer,
Vaniputhur Town Panchayat,
Thucka Naicken Palayam,
Erode District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 6 to consider the petitioner's representation dated 15.03.2017 and consequently direct respondents 1 to 6 to shift the TASMAC shop No.3615 in Kalliangkaadu Muniyappan Kovil road, Thucka Naicken Palayam, Gobichettipalayam Taluk, Erode District, to some other place.

For Petitioner : Mr.D.Gopal
For Respondents : Mr.R.Vijayakumar, Addl.G.P.
For RR-1, 2, 4 to 6
: Mr.B.Nedunchezhiyan
for R-3

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 directing the respondents to relocate the existing TASMAL Shop, i.e. Shop No.3615, located at Thookanayakanpalayam main road, to Kalliangkaadu Muniyappan Kovil road, which is used as a pathway by the women and students.

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, Erode, to consider the representation of the petitioner dated 15th March, 2017 at page No.3 of the typed set of papers in accordance with law. No costs. Consequently, W.M.P.No.10363 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.

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-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To :

1.The District Collector,
Erode District, Erode

2.The Sub Collector,
Gobichettipalayam, Erode.

3.The District Manager,
TASMAC, Suriyampalayam Pirivu,
Opp. To Vasavi College,
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4.The Tahsildar,
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5.The Inspector of Police,
Bangalapudur Police Station,
Bangalapudur, Erode District.

6.The Executive Officer,
Vaniputhur Town Panchayat,
Thucka Naicken Palayam,
Erode District.

+1 cc to Mr.D.Gopal & D.Raghu Advocate sr 23243
+1 cc to Government Pleader High Court Madras
sr 23437

W.P.No.9395 of 2017

aa09/05/2017

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