

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2017

CORAM

THE HON'BLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.No.9473 of 2017
and W.M.P.No.10429 of 2017

E. Thangammal

... Petitioner

Vs.

1. Managing Director,
TASMAC Limited,
Chennai - 600 005.
2. The Senior Regional Manager,
TASMAC Limited,
Salem -16.
3. District Manager/Deputy Collector,
TASMAC Limited, Krishnapuram,
Thummangkruichi Post,
Namakkal - 637 003.

... Respondents

This writ petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to shift and remove the liquor shop No.6152 (Poieri), TASMAC Ltd, Edumbankulam Village, Paramathi Velur Taluk, Namakkal District in terms of the proceedings of the 3rd respondent dated 30.01.2017 and made in Na.Ka.No.802/B7/ CV/ 2016 from the petitioners premises bearing Survey No.356/2 and subdivided as Survey No.356/2Bas per patta No.1152 situate at Edumankulam Village, Paramathi Vellore Taluk, Namakkal District.

For Petitioner : Mr.G.Ravishankar

For Respondents: Mr.B. Nedunchezhiyan,
Special Government Pleader

O R D E R

Mr.B.Nedunchezhiyan, learned Standing Counsel takes notice for the respondents. By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner seeks for a direction to the respondents to shift and remove the liquor Shop No.6152(Poieri) TASMAC Ltd., Edumbankulam village, Paramathi velur Taluk, Namakkal District in terms of the proceedings of the 3rd respondent dated 30.01.2017 and made in Na.Ka.No.802/B7/ CV/ 2016 from the petitioners premises bearing Survey No.356/2 and subdivided as Survey No.356/2Bas per patta No.1152 situate at Edumankulam Village, Paramathi Vellore Taluk, Namakkal District.

3. The petitioner claims to be the absolute owner of the property in which, the subject matter, liquor Shop No.6152 is located. The petitioner now wants the property back for putting the same into cultivation. Therefore, he made a request for shifting the shop from his property. Since such request is not considered so far, the petitioner has filed the present writ petition.

4. Learned counsel for the petitioner invited this Court's attention to the proceedings issued by the 3rd respondent dated 30.01.2017 indicating that the said Shop will be shifted immediately to another site. The grievance of the petitioner is that even though such communication was issued by the 3rd respondent, till this date, the shop is not shifted.

5. Mr.Nedunchezian, learned Standing Counsel for the respondents, based on instructions, submitted that a decision has been taken already to shift the Shop from the petitioner's premises and accordingly, the respondents will shift the shop very soon.

6. Considering the above stated facts and circumstances and considering the submission made by the learned counsel appearing on either side, this writ petition is disposed of by directing the respondents to shift the shop as undertaken by them within a period of six weeks from the date of receipt of a copy of this order. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi/rkp

To

1. Managing Director,
TASMAC Limited,
Chennai - 600 005.
2. The Senior Regional Manager,
TASMAC Limited, Salem -16.
3. District Manager/Deputy Collector,
TASMAC Limited, Krishnapuram,
Thummangkruichi Post,
Namakkal - 637 003.

+1cc to Mr.G. Ravishankar, Advocate, S.R.No.23423

+1cc to the Government Pleader, S.R.No.23675

KGK(CO)

EU 20.4.17

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