

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.8902 of 2017
and
W.M.P.No.9821 of 2017

A.P.Duraisamy .. Petitioner

vs.

1. The Managing Director,
TASMAC, Thalamuthu Natarajan Maligai,
Egmore, Chennai - 600 008.
2. The District Collector,
Thiruppur District,
Thiruppur.
3. The District Manager,
TASMAC, Tiruppur,
Tiruppur District. ... 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.3624 in the petitioner's village viz., Agasthilingampalayam on the road of Illiyampudur Village, Kangayam Taluk, Tiruppur District.

For Petitioner : Ms.L.Karthiga

For Respondents : Mr.Johnkennedy
for respondent Nos.1 & 3

Mr.M.K.Subramanian
Government Pleader
for 2nd respondent

ORDER

(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 TASMAC Shop No.3624 to the village of the petitioner i.e., Agasthilingampalayam, as there are temples and schools nearby.

3. After hearing the learned counsel appearing on behalf of the petitioner and the learned Government Pleader appearing on behalf of the respondents, we dispose of the writ petition by directing respondent No.2/District Collector, Tiruppur to consider the representation of the petitioner dated 8th April, 2017 at page No.1 of the typed set of papers in accordance with law. No costs. Consequently, W.M.P.No.9821 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.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

bbr

To:

1. The Managing Director,
TASMAC, Thalamuthu Natarajan Maligai,
Egmore, Chennai - 600 008.
2. The District Collector,
Thiruppur District,
Thiruppur.

3. The District Manager,
TASMAC, Tiruppur,
Tiruppur District.

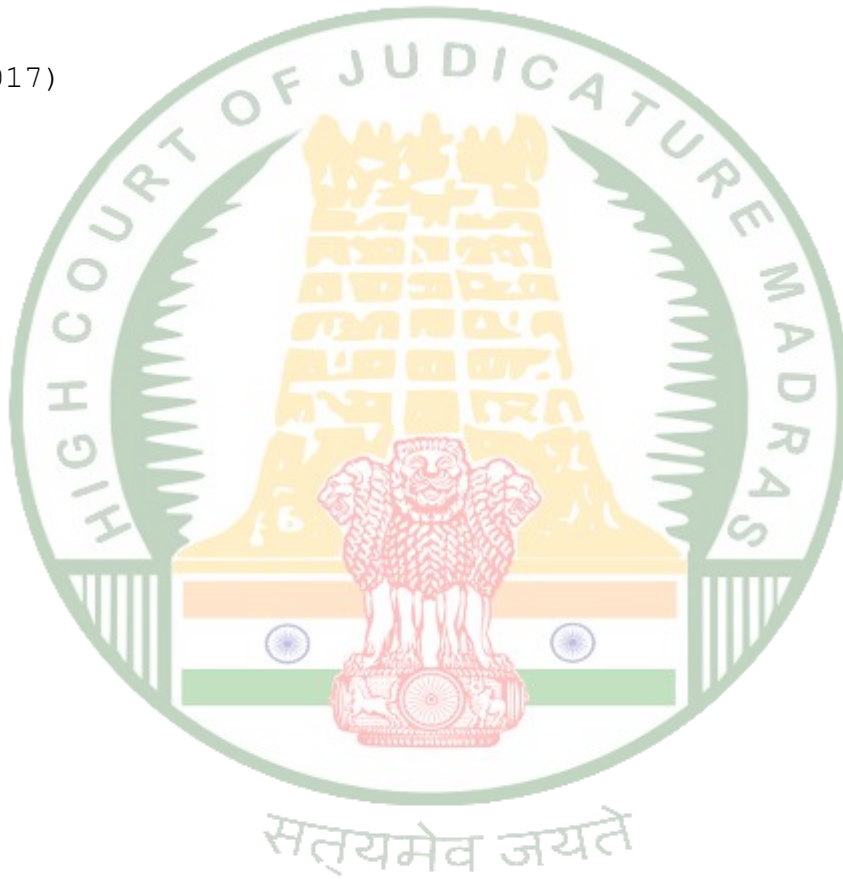
+1cc to M/s.Kerthika,Advocate for the petitioner sr.23803

+1cc to Government Pleader sr.22688

+1cc to Mr.John Kennady,Advocate for respondents sr.22640

W.P.No.8902 of 2017

rk(co)
ss(19/4/2017)



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