

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.9936 of 2017

and

W.M.P.No.10929 of 2017

K.C.Chandrasekaran

.. Petitioner

vs.

1. The District Collector,
The Nilgiris District at Ooty.

2. The Senior Regional Manager,
TASMAC, Coimbatore,
Coimbatore District.

3. The District Manager,
TASMAC, Udagamandalam,
The Nilgiris 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 in the petitioner's area called as Rifle Range, 6th ward, Kothagiri Town, The Nilgiris District.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.R.Vijayakumar, AGP for R-1

Mr.B.Nedunchezian, Standing Counsel
for RR2 and 3

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

In this writ petition filed in public interest, the petitioner has sought orders forbearing respondents from

either opening any TASMAC shop or shifting any existing shop to the petitioner's area, namely, Rifle Range, 6th Ward, Kothagiri Town, The Nilgiris District.

2. After hearing the learned counsel appearing on behalf of the petitioner and the learned Additional Government Pleader accepting notice on behalf of the respondent No.1 and Mr.B.Nedunchezian, learned Standing Counsel for TASMAC accepting notice for respondent Nos.2 and 3, we dispose of the writ petition by directing respondent No.1/District Collector, Nilgiris District, Ooty to consider the representation of the petitioner dated 13.04.2017 at page No.1 of the typed set of papers in accordance with law as expeditiously as possible and in any event within one month from the date of receipt of a copy of this order.

3. Needless to mention that the liquor shop shall only be located / opened 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.

4. No costs. Consequently, W.M.P.No.10929 of 2017 is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vvk

To:

1. The District Collector,
The Nilgiris District at Ooty.
2. The Senior Regional Manager,
TASMAC, Coimbatore,
Coimbatore District.
3. The District Manager,
TASMAC, Udagamandalam,
The Nilgiris District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.24639

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No.24293

W.P.No.9936 of 2017

pa(co)
rmp(11/05/17)