

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.11055 of 2017

and

W.M.P.No.12003 of 2017

K.Senthamarai .. Petitioner

vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Manager,
Tasmac Limited, Kancheepuram District,
Kancheepuram.
3. The Inspector of Police,
Koovathur Police Station (Attached to
Kalpakkam Police Station),
Kancheepuram 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 establishing or relocating the TASMAL liquor vending shops in Kadaloor Village, Cheyyur Taluk, Kancheepuram District.

WEB COPY

For Petitioner : Mr.A.Murugavel

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for respondents 1 and 3

Mr.B.Nedunchezian
for respondent no. 2

ORDER

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

This writ petition filed in public interest relates to the location of a 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 locating the TASMAL Shop No.4343 situated in Ilathur Panchayat Union on the East Coast Road near Kathankadai, adjoining a residential area in Kadaloor-Madhuranthagam Main road, as there are temples and schools nearby.

3. After hearing the learned counsel appearing on behalf of the petitioner and the learned Additional Government Pleader and the standing counsel appearing on behalf of the respective respondents, we dispose of the writ petition by directing respondent No.1/District Collector, Kancheepuram to consider the representation of the petitioner dated 10th April, 2017 at page No.18 of the typed set of papers in accordance with law. No costs. Consequently, W.M.P.No.12003 of 2017 is closed.

4. Needless to mention that the liquor shop shall only be located 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/-
Assistant Registrar

//True Copy//

sra

Sub Assistant Registrar

To:

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Manager,
Tasmac Limited, Kancheepuram District,
Kancheepuram.
3. The Inspector of Police,
Koovathur Police Station (Attached to
Kalpakkam Police Station),
Kancheepuram District.

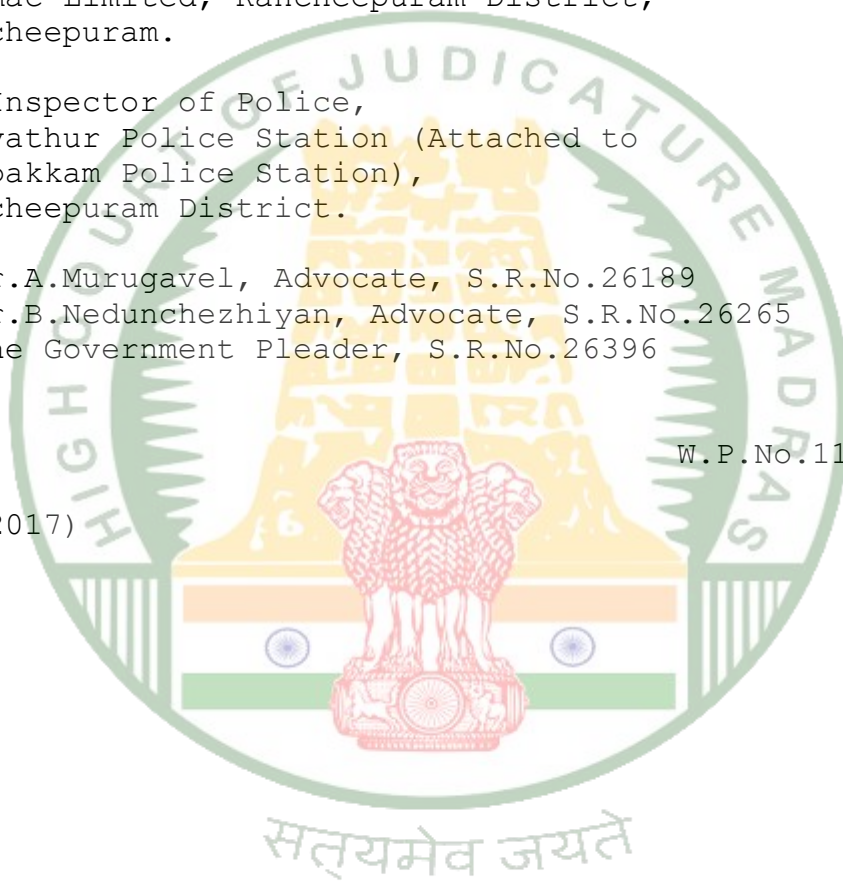
+1cc to Mr.A.Murugavel, Advocate, S.R.No.26189

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No.26265

+1cc to the Government Pleader, S.R.No.26396

W.P.No.11055 of 2017

KJI (CO)
RS (12/05/2017)



WEB COPY