

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2017

CORAM :

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

W.P.No.23097 of 2017

Durai

.. Petitioner

Vs.

1. The Managing Director
Tamil Nadu State Marketing Corporation
Ltd. (TASMAC)
4th floor, CMDA tower II
Egmore, Chennai-600 008.
2. The District Manager
Tamil Nadu State Marketing Corporation
Ltd. (TASMAC)
SIPCOT, Cuddalore District
Cuddalore.
3. The District Collector
Cuddalore District
Cuddalore-600 001.
4. The Revenue Divisional Officer
Revenue Divisional Office
Viruddachalam
Cuddalore District-600 001.
5. The Thasildar
Taluk Office
Virudhachalam-600 001.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to forthwith vacate the TASMAC shop No.2483 of Cuddalore District from the residential area by considering and passing orders on the representation of the petitioner dated 16.06.2017 taking consideration of Tamil Nadu Liquor Retail Vending (in shops and bars) Rules, 2003.

For Petitioner	: Mr.A.K.Rajaraman
For R1 & R2	: Mr.P.Arumuga Raj standing counsel
For R3 to R5	: Ms.Vasudha Thiagarajan Addl. Govt. Pleader

O R D E R

The Writ Petition is for issuance of Writ of Mandamus directing the respondents to forthwith vacate the TASMAC shop No.2483 of Cuddalore District, from the residential area by considering and passing orders on the representation of the petitioner dated 16.06.2017 taking consideration of Tamil Nadu Liquor Retail Vending (in shops and bars) Rules, 2003.

2. The petitioner is a resident of Mangalampettai village, Virudhachalam taluk, Cuddalore District. According to the petitioner, the TASMAC liquor shop No.2483 is located in a residential area near the Government Girls Higher Secondary School, hostel, temple and hospitals. It is a nuisance to the general public and caused hindrance. The petitioner has given a representation dated 16.06.2017 to the second respondent marking a copy to the respondents 1,3 to 5 to relocate the TASMAC shop to some other non residential area. As no orders was passed on the representation given by the petitioner, he has come out with the present writ petition with the above stated relief.

3. The learned standing counsel appearing for the respondents 1 to 5 submitted that the TASMAC shop No.2483, Cuddalore District, is not located in the objectionable area.

4. Heard both sides.

5. Considering the submissions made by both sides, the third respondent is directed to consider the representation of the petitioner dated 16.06.2017 and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

kj

To

1.The Managing Director
Tamil Nadu State Marketing Corporation
Ltd. (TASMAC)

4th floor, CMDA tower II
Egmore, Chennai-600 008.

2. The District Manager
Tamil Nadu State Marketing Corporation
Ltd. (TASMAC)
SIPCOT, Cuddalore District
Cuddalore.

3. The District Collector
Cuddalore District
Cuddalore-600 001.

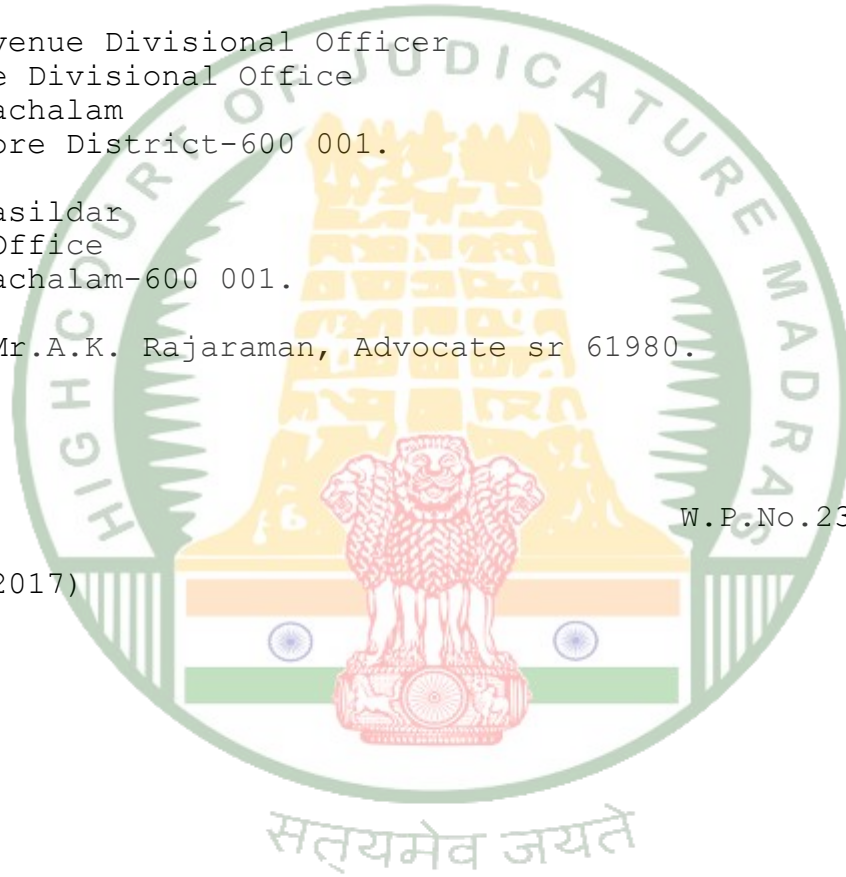
4. The Revenue Divisional Officer
Revenue Divisional Office
Viruddachalam
Cuddalore District-600 001.

5. The Thasildar
Taluk Office
Virudhachalam-600 001.

+1 CC to Mr.A.K. Rajaraman, Advocate sr 61980.

SP(15/09/2017)

W.P.No.23097 of 2017



WEB COPY