

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.13582 of 2017
and
W.M.P.No.14737 of 2017

P.Vijayan

... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Palladam Road, Tirupur-641 604.
2. The District Manager,
Tamil Nadu State Marketing Corporation Limited
(TASMAC), Tirupur.
3. The Secretary,
Ministry of Prohibition and Excise,
Secretariat, Fort St.George,
Chennai-600 009.

.... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to stop the opening of TASMAC wine shop at Pothampalayam Village, Pothampalayam Post, Savakkattupalayam (Via), Avinashi Taluk-638460, Tirupur District in accordance with law.

For Petitioner : Mr.K.Balakrishnan

For Respondents : Mr.R.Rajeswaran,
Special Government Pleader
for R1 and R3
Mr.B.Neduncheziyan for R2

ORDER

This writ petition has been filed for a direction to the respondents to stop opening of TASMAC wine shop at Pothampalayam Village, Pothampalayam Post, Savakkattupalayam (Via), Avinashi Taluk-638460, Tirupur District.

2.It is stated in the affidavit filed in support of this petition that the petitioner belongs to Pothampalayam Village in Avinashi Taluk, Tirupur District and that the respondents are making arrangements to open a wine shop (TASMAC) in the said village. Pothampalayam Panchayat has passed a Resolution on 01.05.2017 to oppose any move to establish a wine shop in the said village. The petitioner made a representation dated 11.05.2017 to the District Collector, Tirupur and the Chief Secretary to Government, State of Tamil Nadu, apprehending problems if a TASMAC shop is opened in their village and also requesting to prevent such move by the respondents. Since the said representation has not been considered, the present writ petition is filed.

3.Mr.R.Rajeswaran, learned Special Government Pleader, took notice for the respondents 1 and 3.

4.Heard both sides.

5.Considering the facts and circumstances of the case, without expressing any opinion as to the merits of the contentions raised by the petitioner in this writ petition, the writ petition is disposed of directing the first respondent to consider the representation of the petitioner dated 11.05.2017 on merits and in accordance with law, and pass appropriate orders, after affording due opportunity to the petitioner as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KM

To

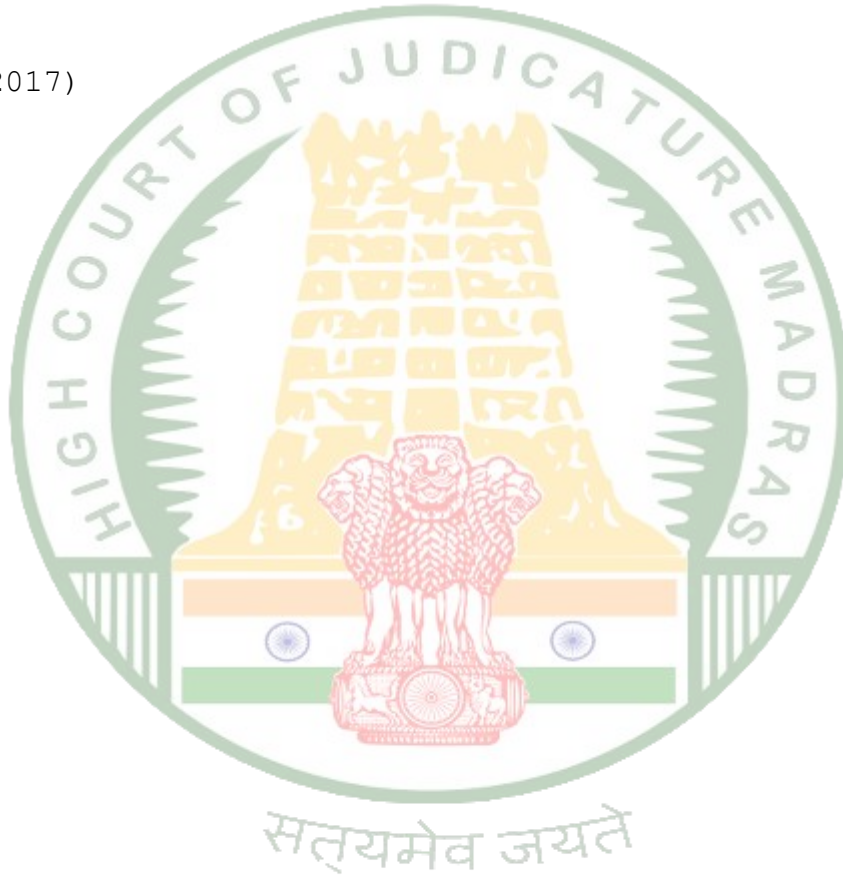
1. The District Collector,
Office of the District Collector,
Palladam Road,
Tirupur-641 604.
2. The District Manager,
Tamil Nadu State Marketing Corporation Limited
(TASMAC),
Tirupur.

3. The Secretary,
Ministry of Prohibition and Excise,
Secretariat, Fort St.George,
Chennai-600 009.

+1cc to Mr.K.Balakrishnan, Advocate, S.R.No.38111

W.P.No.13582 of 2017
and
W.M.P.No.14737 of 2017

SKS (CO)
CA(05/06/2017)



WEB COPY