

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2017

CORAM

THE HON'BLE Mr.JUSTICE K.RAVICHANDRABAABU

W.P.No.14669 of 2017

and

W.M.P.No.15921 of 2017

C. Chandrasekar

... Petitioner

Vs.

1. The Secretary to Government
Home, Excise & Prohibition Department,
Fort. St. George, Chennai-9.
2. The Managing Director,
Tamil Nadu State Marketing Corporation,
Egmore, Chennai-8
3. The Regional Manager,
Tamil Nadu State Marketing Corporation,
Erode - 638 011.
4. The District Collector,
Erode District,
Erode - 638 011.
5. The Tahsildar,
Erode Taluk,
Erode District.

... Respondents

Prayer:- writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing respondents 1 to 5 from proceeding further with commissioning of TASMAC wine shop in the Puthur, Pudupalayam Village, Erode Taluk and District.

For Petitioner : Mr.T.Sundaravadanam

For R1,R4 & R5 : Mr. Akhil Akbar Ali
Government Advocate

For R2 and R3 : Mr.John Kennady
Standing Counsel

O R D E R

The petitioner is seeking for a Mandamus forbearing the respondents 1 to 5 from proceeding further with commissioning of TASMAC shop in Puthur, Pudupalayam Village, Erode Taluk and District.

2. Heard the learned counsel appearing for the petitioner, Mr.Akhil Akbar Ali, learned Government Advocate appearing for respondents 1, 4 and 5 and Mr.John Kennedy, learned Standing Counsel appearing for respondents 2 and 3.

3. When this matter was taken up for the admission on 13.06.2017, this Court, after directing the learned Special Government Pleader to get instructions, directed the respondents to maintain status quo as on that date. The said interim order was subsequently extended until further orders, by an order dated 15.06.2017. Today, when the matter is taken up for final disposal, the learned counsel appearing for the respondents submitted that already the petitioner along with 50 village people have given their objections before the 4th respondent on 17.04.2017 and such representation will be considered by the 4th respondent on its merits.

4. Therefore, this writ petition is disposed of by directing the 4th respondent to consider the said representation of the petitioner, which is said to be given by the 50 village people and pass orders on the same, after giving an opportunity of hearing to the petitioner. Such exercise shall be done by the 4th respondent within a period of two weeks from the date of receipt of a copy of this order. Till such time, the respondents shall maintain status quo in respect of the location of the TASMAC shop at the dispute site. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi/mm

To

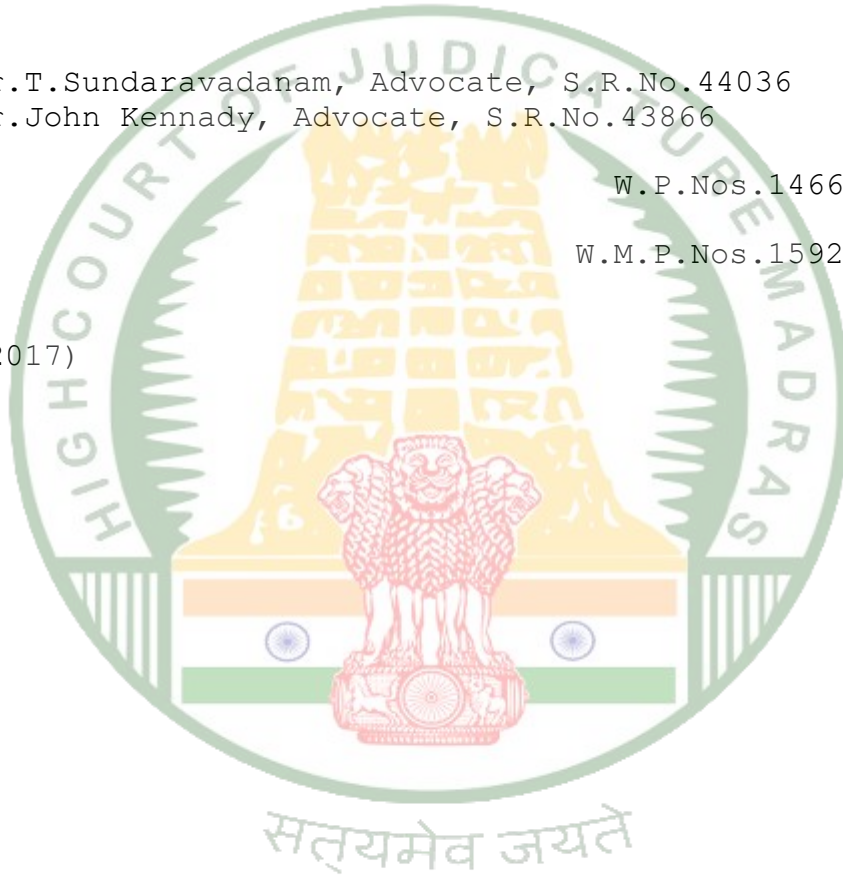
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5. The Tahsildar,
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Erode District.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.44036
+1cc to Mr.John Kennady, Advocate, S.R.No.43866

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and
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SJ(CO)
CA(04/07/2017)



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