

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.16139 of 2017

R.Babu

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Managing Director,
TASMAC Limited,
Chennai - 600 008.
3. The Manager,
TASMAC,
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 opening Shop No.4527 in Kancheepuram District in State Highway as per the directions of the Hon'ble Supreme Court of India.

For Petitioner : Mr.V.Premkumar

For Respondents : Mr.M.K.Subramanian
Government Pleader
for 1st respondent

Mr.B.Nedunchezian
for respondent Nos.2 & 3

ORDER

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

This writ petition relates to the proposal to open TASMAC shop No.4527 in Kancheepuram District.

2. In the writ petition, it is alleged that there is a proposal to open TASMAC shop No.4527. On behalf of respondents

2 and 3, it is stated that the petitioner has given an incorrect shop number. The correct shop number should have been 4524.

3. According to the writ petitioner, TASMAC shop No.4527 (to be read as 4524) is proposed to be opened about 100 metres away from the shop set up earlier, which had been closed in accordance with the orders of the Supreme Court. It is submitted that the proposed shop is within 500 metres from the State Highway, which is in contravention of the orders of the Supreme Court in Civil Appeal Nos.12164-12166 of 2016, dated 31st March, 2017.

4. Mr.B.Nedunchezian, learned counsel appearing on behalf of respondent Nos.2 and 3 submits that the shop is not going to be opened.

5. Therefore, the writ petition has become infructuous and the same is accordingly dismissed. No costs. Needless to mention that if and when any TASMAC shop is opened, the same should be in compliance with the orders of the Hon'ble Supreme Court referred to above, as also the provisions of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Managing Director,
TASMAC Limited,
Chennai - 600 008.
3. The Manager,
TASMAC,
Kancheepuram District.

+lcc to Mr.B.Nedunchezian, Advocate, S.R.No.46151
+lcc to Mr.V.Premkumar, Advocate, S.R.No.46344
+lcc to the Government Pleader, S.R.No.46220

W.P.No.16139 of 2017

CS V
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