

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2017

CORAM

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.19479 of 2017
& WMP.No.21029 of 2017

Manoharan .. Petitioner

Vs.

- 1.The District Collector,
Tiruvallur District,
Tiruvallur.
 - 2.The Assistant Commissioner (Kalal),
Prohibition & Excise Wing,
Tiruvallur District.
 - 3.The Regional Senior Manager,
Tamil Nadu State Marketing Corporation (TASMAC)
Madhavaram,
Chennai - 51.
 - 4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC)
Madhavaram,
Chennai - 51.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 6.7.2017 for shifting the retail vending liquor shop No.8831 at 1st street, Velankanni Nagar, Near Madavaram Main Road, Madavaram, Chennai - 51 to any other place in accordance with law without any further delay.

For Petitioner : Mr.I.Arockia Selvaraj

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for respondent Nos.1 & 2

Mr.K.Sathishkumar
for respondent Nos.3 & 4

ORDER

(Order of the Court was made by T.S.Sivagnanam, J.)

Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice for respondent Nos.1 & 2. Mr.K.Sathishkumar, learned counsel accepts notice for respondent Nos.3 & 4. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner has filed this writ petition styled as public interest litigation claiming himself to be the President of Annai Velankanni Nagar Residents' Welfare Association, Madavaram Milk Colony, Chennai-51. The petitioner seeks shifting of retail vending liquor shop No.8831 presently located at First Street, Velankanni Nagar, Near Madavaram Main Road, Madavaram, Chennai-51.

3. The petitioner contends that the above said liquor shop No.8831 is located 50 metres from a place of worship and an educational institution. However, there is no supporting documents like map, sketch, photographs etc., as none have been filed to substantiate the averments made by the petitioner. In any event, District Collector, Tiruvallur, is the competent authority to take note of the representation of the petitioner dated 06.7.2017 and see whether there is any infringement/violation of the provisions of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

4. Accordingly, without going into the merits of the contentions raised by the petitioner, there will be a direction to respondent No.1/District Collector, Tiruvallur to consider the representation of the petitioner dated 06.7.2017 after causing an inspection of the liquor shop in question to be made and pass orders/dispose of on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

5. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.21029 of 2017 is closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1.The District Collector,
Tiruvallur District,
Tiruvallur.

2.The Assistant Commissioner (Kalal),
Prohibition & Excise Wing,
Tiruvallur District.

3.The Regional Senior Manager,
Tamil Nadu State Marketing Corporation (TASMAC)
Madhavaram,
Chennai - 51.

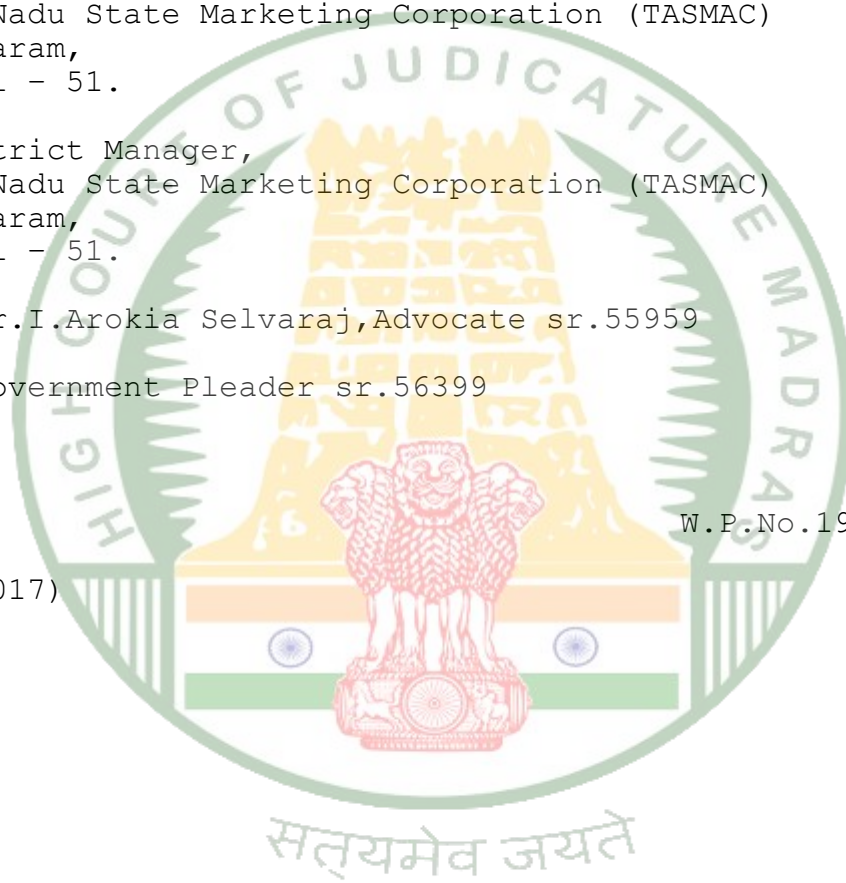
4.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC)
Madhavaram,
Chennai - 51.

+1cc to Mr.I.Arokia Selvaraj,Advocate sr.55959

+1cc to Government Pleader sr.56399

ss(21/8/2017)

W.P.No.19479 of 2017



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