



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10419 of 2017

and

WMP(MD)No.7962 of 2017

V.Duraisamy

... Petitioner

vs.

1. The District Collector,
Kanyakumari District.
2. The District Manager,
TASMAC,
Nagercoil, Kanyakumari District.
3. The Superintendent of Police,
Kanyakumari District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 2nd respondent from open of relocate the TASMAC shop No. 4727 at Door No:C9/504, AR Camp Road or any other place in the AR Camp Road, Nagercoil.

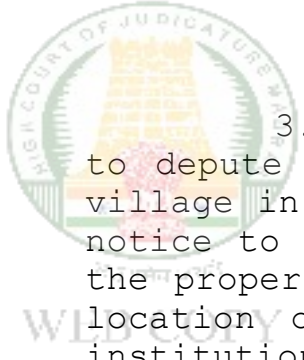
For Petitioner	:Mr.K.G.Vasudevan
For R1 & R3	:Mr.T.S.Mohamed Mohideen, AGP
For R 2	:Mr.M.Muniasamy, Standing Counsel

O R D E R

(Order of the Court was made by K.K.SASIDHARAN, J.)

The petitioner filed this writ petition to restrain the second respondent from relocating the TASMAC Shop at Door No:C9/504, AR Camp Road or any other place in the AR Camp Road in Nagercoil.

2.The petitioner has submitted a representation to the District Collector on 26 May 2017, with a request not to permit opening the liquor shop at the premises noted above.



3. We direct the District Collector, Kanyakumari District to depute the jurisdictional Thasildar to conduct enquiry in the village in question. The enquiry should be conducted after issuing notice to the petitioner. The Thasildar shall prepare a sketch of the property in question. The sketch should indicate the proposed location of the TASMAC shop and its distance from Educational institutions, hospitals, religious places and other places of public importance. The sketch and report shall be submitted to the District Collector. The District Collector is directed to dispose of the representation on merits and as per law, taking into account the report and sketch.

4. The liquor shop shall not be relocated till the disposal of the representation by the District Collector.

5. The writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District.
2. The District Manager,
TASMAC,
Nagercoil, Kanyakumari District.
3. The Superintendent of Police,
Kanyakumari District.

+1cc to Mr.M.Karthikeya Venkatachalapathy, Advocate Sr.No.64688
+1cc to Spl.Government Pleader Sr.No.64941

GK/SKM

VB/MR/KKR/SAR2/27.07.2017/2P/6C

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and
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