



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.10979 of 2017

and

W.M.P. (MD) No.8403 of 2017

L.Absar Ussain

: Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Principal Secretary,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai-600 009.
2. The Commissioner of Prohibition and Excise,
Prohibition and Excise Department,
Ezhilagam, Chepauk,
Chennai-600 005.
3. The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC)
CMDA Tower-II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai-600 008.
4. The Additional Director General of Police,
(Enforcement)
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to stop the sale of liquor in the licensed premises of F.L.4A, F.L.5, F.L.7, F.L.9 & F.L.10 situated at Tamil Nadu based on the petitioner's representation dated 02.06.2017 in the light of the order passed by the Hon'ble Supreme Court in Civil Appeal Nos.12164-12166 of 2016.

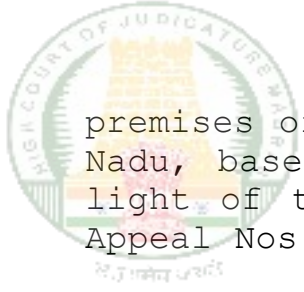
For Petitioner : Mr.K.Gokul
For Respondents No.1,2&4 : Mr.M.Govindan,
Special Government Pleader
For Respondent No.3 : No Appearance

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

<https://hcservices.ecourts.gov.in/hcservices/>

The petitioner filed this Writ Petition for a direction to the second respondent to stop the sale of liquor in the licensed



premises of F.L.4A, F.L.5, F.L.7, F.L.9 & F.L.10 situated at Tamil Nadu, based on his representation dated 02 June, 2017 and in the light of the order passed by the Hon'ble Supreme Court in Civil Appeal Nos.12164-12166 of 2016.

2. The affidavit filed in support of the Writ Petition is bereft of particulars. The petitioner has not pointed out as to how he has arrived at a conclusion that some of the shops are still functioning, notwithstanding the direction given by the Hon'ble Supreme Court. The petitioner in a matter of this nature must come out with true facts indicating the shops functioning in violation of the order passed by the Hon'ble Supreme Court. Since no such particulars are found in the affidavit filed in support of the Writ Petition, we do not find any reason to issue a Writ of Mandamus.

3. In the upshot, we dismiss the Writ Petition. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

- 1 .The Principal Secretary,
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai-600 009.
2. The Commissioner of Prohibition and Excise,
Prohibition and Excise Department,
Ezhilagam, Chepauk,
Chennai-600 005.
3. The Additional Director General of Police,
(Enforcement)
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

+1cc to Mr.K.Gokul, Advocate Sr.No.64836

SML/MYR

VB/JC/SAR2/19.07.2017/2P/5C