



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 20.07.2017

WEB COPY

CORAM :
THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
AND
THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P (MD) No.11969 of 2017

C.Raja Kumar

... Petitioner

Vs.

1.The District Collector, Collectorate Office,
Kokarakulam, Tirunelveli District.

2.The District Manager,
Tamil Nadu State Marketing Corporation
Ltd, (TASMAC) Kokarakulam,
Tirunelveli District.

3.The Village Administrative Officer,
Thisaiyanvillai, Radhapuram Taluk,
Tirunelveli District.

4.Electricity Board,
Tamil Nadu Electricity Department,
Distribution Town, Radhapuram Taluk,
Tirunelveli District.

5.The Superintendent of Police,
Palayamkottai, Tirunelveli District.
Tirunelveli.

6.R.Moorthi @ Mumoorthi

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to close the TASMAC Liquor Vending Shop in Survey No.648/1 situated at Idiyangudi, Radhapuram Taluk, Tirunelveli District on the basis of the representation of the petitioner dated 12.06.2017 within a time frame.

For Petitioner : Mr.K.M.Priscilla Jancy

For Respondents : Mr.B.Pugalendhi, AAG for R1 & R3 & R5

Mr.M.Muniyasamy for R2

Mr.G.Kasinatha Durai for R4

Mr.A.Karthik Kumar, Advocate Commissioner.

**O R D E R**

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

This writ petition has been filed for directing the respondents to close the TASMAL liquor shop in Survey No.648/1 situated at Idiyangudi, Radhapuram Taluk, Tirunelveli District.

2.This Court appointed an Advocate Commissioner to find out if the said shop is within prohibited distance. The writ petitioner specifically alleged that schools and church are within the prohibited distance. But the report of the Advocate Commissioner shows that Church is located at a distance of 1162.6 Meters. Similarly, the schools are situated beyond 1000 Meters. The State Highway is located beyond 500 Meters. Since there is no statutory violation, we are not inclined to grant the relief sought for in this writ petition. The writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector, Collectorate Office,
Kokarakulam, Tirunelveli District.
- 2.The Village Administrative Officer,
Thisaiyanvillai, Radhapuram Taluk,
Tirunelveli District.
- 3.The Superintendent of Police,
Palayamkottai, Tirunelveli District.
Tirunelveli.

+1cc to M/s.Pricilla Jancy,Advocate,SR. 67084

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SKM/ARUL

KK/KP/SAR 2/01.08.2017/ 2P- 5C/