



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM:

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

W.P.(MD)No.12566 of 2017
and
W.M.P(MD)No.9685 of 2017

A.Arumugam

.. Petitioner

Vs.

1.The District Collector,
Pudhukottai District,
Pudhukottai.

2.The Regional Manager,
TASMAC,
Pudhukottai.

3.The District Forest Officer,
Pudhukottai District.

4.The Superintendent of Police,
Pudhukottai District.

.. Respondents

(R-4 is suo motu impleaded vide Court
order dated 10.07.2017 in
W.P(MD)No.12566 of 2017)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to evict the liquor shop No.6609 situated at Pudhukottai to Aalangudi Manipallam Road at Mannijanviduthi Village, Aalangudi Taluk, Pudhukottai District and shift the same to some other place.

For petitioner : Mr.M.Gururaj
For respondents : Mr.B.Pugalendhi
Additional Advocate General
assisted by
Mr.M.Muniasamy,
Standing Counsel for TASMAC.



O R D E R

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

The petitioner filed this writ petition for issuance of a Writ of Mandamus directing the respondents to close the Bar attached to the liquor shop No.6609 situated at Pudhukottai to Aalangudi Road, at Maanjanviduthi Village, Aalangudi Taluk, Pudhukottai District.

2. Since the learned Additional Advocate General, on earlier occasion, contended that the TASMAC has not granted licence to operate the bar attached to the liquor shop No.6609, we passed the following order on 10.07.2017:

"The learned Additional Advocate General, on instructions, submitted that the TASMAC has not granted license to operate the bar attached to liquor shop No.6609, situated at Pudhukottai to Aalangudi Manipallam Road at Maanjanviduthi Village, Alangudi Taluk, Puthukottai District.

2.The learned counsel for the petitioner by producing photographs contended that still the bar is functioning by attaching to the TASMAC shop in question.

3.In view of the said contention, the Superintendent of Police, Pudukkottai District is impleaded Suo-Motu as fourth respondent in the writ petition.

4.We direct the District Collector, Pudukkottai District and the Superintendent of Police, Pudukkottai District, to take immediate action to demolish the temporary structure housing the bar attached to the liquor shop No.6609 and report compliance by 12.07.2017.

5.The learned Additional Advocate General is directed to inform the District Collector and Superintendent of Police, Pudukkottai District.

6.Post on 13.07.2017 for reporting compliance."

3. The District Collector, Pudukkottai, pursuant to the order dated 10.07.2017, submitted a sworn affidavit indicating that the bar is not functioning.



4. The learned counsel for the petitioner confirmed the factual position that the bar was closed pursuant to the action taken by the respondents.

5. The respondents, more particularly, the District Collector and the District Superintendent of Police, Pudukottai, shall ensure that the bar is not opened once again by making attachment to the existing liquor shop No.6609.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
Pudhukottai District,
Pudhukottai.

2.The Regional Manager,
TASMAC,
Pudhukottai.

3.The District Forest Officer,
Pudhukottai District.

4.The Superintendent of Police,
Pudhukottai District.

+1CC to the Special Government Pleader SR.No.66553

W.P. (MD) No.12566 of 2017

19.07.2017

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AM/KP/SAR 1/08.08.2017/3P/6C