



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2017

CORAM:

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

W.P. (MD) No.12959 of 2017
and
W.M.P. (MD) .No.10046 of 2017

Thangapandiyan : Petitioner
Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Manager,
TASMAC Limited,
Virudhunagar District,
Virudhunagar.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to forbear the respondents from shifting/opening the TASMAC Shop No.12046 in Survey No.84/8A, near Indira Nagar Colony, Veeracholan Village, Thiruchuli Taluk, Virudhunagar District, on basis of the petitioner's representation dated 20.06.2017.

For Petitioner	: Mr.B.Anandan
For Respondent No.1	: Mr..M.Govindan Special Government Pleader
For Respondent No.2	: Mr.H.Arumugam For TASMAC

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

This writ petition has been filed for forbearing the respondents from opening the Tasmac shop No.12046 in Survey No.84/8A, near Indira Nagar colony, Veeracholan Village, Thiruchuli Taluk, Virudhunagar District. He has already given a representation dated 20.06.2017.



2.It is seen that so far the shop in question has not been opened. It appears that the first respondent has not yet passed any orders granting permission to open the liquor shop in the site in question. We make it clear that the first respondent shall hear the writ petitioner before granting any such permission. We make it clear that we leave open all the issues. We have already held that the Tasmac shops can be housed only in premises that have a proper planning approval and building permit. That apart, the use of the premises must be in conformity with the zoning regulations. Unless all the parameters laid down in law are fulfilled, such shop cannot be opened.

3.With these observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

The District Collector,
Virudhunagar District,
Virudhunagar.

+One cc to Mr.B.Anandan, Advocate, SR.No.76785

+One cc to Mr.H.Arumugam, Advocate, SR.No.76509

tsg

RL/4C/2P/KK/SAR1/8/11/2017

Order made in
W.P.(MD)No.12959 of 2017
and
W.M.P.(MD).No.10046 of 2017