



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.09.2017

CORAM:

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

W.P. (MD) No.17184 of 2017
and
W.M.P. (MD) .No.13756 of 2017

K.Sivakumar .. Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Special Officer/Block Development Officer,
Rep. by its Kadayam Perumpatu I Village Panchayat,
Ambai Taluk,
Tirunelveli District.

3.The District Manager,
TASMAC Limited,
Tirunelveli, Tirunelveli District.

4.Paramasivam .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from opening any TASMAC liquor vending shop/bar at Kadayam Perumpathu Village particularly in Survey No.269/13, Kadayam Perumpathu Village, Ambasamudram Taluk, Tirunelveli District based on the petitioner's representation dated 17.07.2017.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.T.S.Mohamed Mohideen
Additional Government Pleader
for R.1 and R.2
: Mr.Jameel Arasu
for R.3

O R D E R

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

The petitioner filed this Writ Petition to direct the respondents not to permit opening TASMAC liquor vending shop at Kadayam Perumpathu Village and more particularly in Survey



No.269/13, Kadayam Perumpathu Village, Ambasamudram Taluk, Tirunelveli District.

2. The learned Standing Counsel for TASMAL, on instructions, submitted that there is no proposal to locate the shop in Survey No.269/13, Kadayam Perumpathu Village, Ambasamudram Taluk, Tirunelveli District.

3. Since the TASMAL has made it clear that there is no proposal for opening new shop in the land in question, nothing survives for adjudication in this Writ Petition. However, we make clear that in case a proposal is made by TASMAL, the District Collector, Tirunelveli shall consider, as to whether, the fourth respondent obtained permission for conversion of land for using it for commercial purpose.

4. The Writ Petition is disposed of, with the above observation. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To:

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Special Officer/Block Development Officer,
Rep. by its Kadayam Perumpathu I Village Panchayat,
Ambai Taluk,
Tirunelveli District.

+1cc to Mr.ANANTH C.RAJESH,Advocate,SR. 78151

+1cc to Mr.B.JAMEEL ARASU,Advocate,SR.78532

W.P. (MD) No.17184 of 2017
12.09.2017

KM/SSL

KK/MR KKR/SAR 1/26.09.2017/ 2P- 5C/