



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
and

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 17289 of 2017

and

W.M.P. (MD) No. 14501 of 2017

M. Meenakshi

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Managing Director,
Tamilnadu State marketing Corporation Ltd., (TASMAC),
CMDA Tower -II, IV Floor,
Gandhi Irvin Bridge Road,
Egmore, Chennai-600 008.
3. The District Manager (Madurai North),
TASMAC Ltd.,
IMFS Depot, Tamilnadu Ware Housing Corporation,
Kappalur Village, Thirumangalam Taluk,
Madurai.
4. The Commissioner,
Madurai Corporation,
Madurai .
5. The Tahsildar,
Madurai North Taluk,
Collectorate Complex,
Madurai.
6. K. Ramani

(R6 is impeaded as per order dated
21.09.2017 made in WMP (MD) No.
14501 of 2017)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to shift the TASMAC Wine Shop No. 5136 situated at India Nagar, P.T.R. Main Road, Bibikulam, Madurai District within the time period stipulated by this Court.



WEB COPY

For Petitioner
For Respondents

: Mr.S.Arivalagan
: Mr.Govindan
Spl Government Pleader for RR1 & 5
: Mr.S.Satheesh kumar
for Mr.H.Arumugam for RR2 & 3
: Mrs.Logeswari
for Mr.Gunaseelan Muthiah
Government Advocate for R4
: Mr.B.Saravanan for R6

O R D E R

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

The petitioner seeks a direction for shifting the TASMAL shop No.5136 situate at Indra Nagar, P.T.R. Main Road, Bibikulam, Madurai District.

2.When the matter was taken up for hearing, an impleading application was also filed by the building owner. The same is allowed.

3.It is the contention of the building owner that the shop has been in existence for quite some time. But it is submitted by the learned counsel for the petitioner that it is a residential area and that within prohibited distance from a place of worship.

4. It is also contended that lot of public nuisance is created on account of running of the said shop. A Mosque is situated within 50 meters radius. Kendriya Vidhyalaya Higher Secondary School (CENTRAL SCHOOL) is also situated near the shop.

5. We therefore direct the first respondent to enquire into the matter. If it is seen that the shop in question is situated within the prohibited distance, orders shall be issued for its closure. The first respondent shall complete his exercise within a period of two months from the date of receipt of a copy of this order.

6. This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar



To

1. The District Collector,
Madurai District,
Madurai.

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4. The Commissioner,
Madurai Corporation,
Madurai .

5. The Tahsildar,
Madurai North Taluk,
Collectorate Complex,
Madurai.

+1cc to Mr.B.Saravanan, Advocate Sr.No.80415

+1cc to Mr.H.Arumugam, Advocate Sr.No.80810

RMI

VB/KK/SAR1/15/11/2017/3P/8C

ORDER MADE IN
W.P. (MD) No.17289 of 2017
21.09.2017