



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**

AND

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN****W.P. [MD] .No.6979 of 2017**

and

W.M.P. (MD) Nos.5503 and 5504 of 2017

Marichamy : Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The District Manager,
Tasmac Ltd.,
Ramanathapuram District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent Na.Ka.No.A2/6919/2017, dated 07.04.2017 and quash the same and consequently, direct the respondents not to open the TASMAC Shop No.6919 in the newly proposed place in bearing D.No.7/130, Thendral Nagar, Perunali Post, Ramanathapuram District.

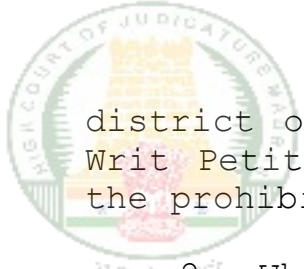
For Petitioner : Mr.J.Senthil Kumariah

For Respondent No.1 : Mr.M.Govindan,
Special Government PleaderFor Respondent No.2 : Mr.M.Muniyasamy,
Standing Counsel for TASMAC

O R D E R

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

The second respondent, by his proceedings dated 07 April, 2017, informed the petitioner that the TASMAC would be opening a Wine Shop at Door No.7/130, Thendral Nagar, Perunali Post, in the



district of Ramanathapuram. The order is under challenge in this Writ Petition primarily on the ground that it is situated within the prohibited distance.

2. When the Writ Petition was taken up for hearing, the learned Standing Counsel for the TASMACH, on instructions, submitted that the second respondent has dropped the proposal to locate the TASMACH Shop No.6919 at Door No.7/130, Thendral Nagar, Perunali Post, Ramanathapuram District. The learned counsel has also made an endorsement to that effect.

3. In view of the stand now taken by the second respondent that the Shop in question would not be located at Door No.7/130, Thendral Nagar, Perunali Post, Ramanathapuram District, there is no need for a factual adjudication of the issue raised in this Writ Petition.

4. The Writ Petition is closed with the above observation. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

The District Collector,
Ramanathapuram District,
Ramanathapuram.

+1 cc to The Special Government Pleader in SR.No.68753

SML

AE/SKN RSK/SAR1/04.08.2017/2P/3C

**Order made in
W.P. [MD] .No.6979 of 2017
Dated:27.07.2017**