



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM:

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

W.P.[MD].No.7113 of 2017
and
W.M.P.(MD)No.5628 of 2017

S.Gnana Raja Singh : Petitioner
Vs.

- 1.State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Home, Prohibition and Excise,
Secretariat, Chennai-9.
- 2.The Tamil Nadu State Marketing
Corporation (TASMAC) Limited,
Represented by its
Chairman and Managing Director,
Thalamuthu Natarajar Building,
Egmore, Chennai-600 008.
- 3.The District Collector,
Kanyakumari District,
Kanyakumari.
- 4.The Regional Manager,
Tamil Nadu State Marketing
Corporation (TASMAC) Limited,
Kanyakumari,
Kanyakumari District.
- 5.The District Manager,
Tamil Nadu State Marketing
Corporation (TASMAC) Limited,
Konam, Nagercoil,
Kanyakumari District.
- 6.Mr.K.Shaji Nelsakumar : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, for a direction, forbearing the respondent No.3 and 5 from opening the TASMAC Shop along with Bar at sixth respondent's residence in violation of the Tamil Nadu Liquor Retail Vending (in shops and bars) Rules, 2003 and the Judgment of the Hon'ble Supreme Court in <https://hccservices.ecourts.gov.in/hccservices/> Nos.12164-12166 of 2016 in State of Tamil Nadu Vs. K.Balu dated 15.12.2016.



For Petitioner : Mr.S.Rajasekar
For Respondents No.1&3 : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader
For Respondents No.2,4&5: Mr.M.Muniasamy,
Standing Counsel

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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 TASMAC not to locate a Liquor Shop at a place given by the sixth respondent.

2. The District Manager, TASMAC, in his counter-affidavit, very clearly stated that the Retail Vending Shop No.4822, Padanthalumoodu, was temporarily closed on 01 April, 2017. According to the District Manager, there is no proposal for shifting of TASMAC Shop and Bar at Vazhuthalanchivilai, as contended by the petitioner.

3. In view of the statement made by the District Manager, TASMAC, no further orders are necessary in this Writ Petition.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary,
State of Tamil Nadu,
Department of Home, Prohibition and Excise,
Secretariat, Chennai-9.

2.The District Collector,
Kanyakumari District,
Kanyakumari.

+1cc to M/S.T.Lajapathi Roy, Advocate SR.No. 65370
+1cc to Special Government Pleader, SR.No. 65683

Order made in
W.P.[MD].No.7113 of 2017

Dated:
13.07.2017