



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.07.2017
CORAM :

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

W.P(MD)No.8980 of 2017
and
W.M.P(MD).No.6860 of 2017

A.Chandrasekaran Annavi ... Petitioner

vs.

1.The District Collector,
Collectorate Buildings,
Thoothukudi District.

2.The Assistant Commissioner,
Prohibition and Excise,Collectorate Buildings,
Thoothukudi District.

3.The District Manager,
TASMAC, SIPCOT Campus,
Thoothukudi District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 3 not to establish TASMAC-Wine Shop and Bar in the Property of Soundarapandian in Survey No.254/6A at Puthur, Vilathikulam Taluk, Thoothukudi District on the basis on the petitioner's representation dated 27.03.2017 and 26.04.2017.

For Petitioner	: Mrs.Jessi Jeeva Priya for Mr.S.R.Sathan Boopathy
For Respondents	: Mr.B.Pugalendhi, AAG for RR1 to 2 Mr.V.Muniyasamy for R3.

O R D E R

(Order of the Court was made by **K.K.SASIDHARAN, J.**)

The petitioner filed this writ petition to restrain the respondents 1 to 3 from locating a TASMAC - wine shop at Survey No.254/6A at Puthur, Vilathikulam Taluk, Thoothukudi District.

2. There is nothing on record to indicate that the proposed location is nearby Temples, Educational Institutions and other institutions of public importance.



3. However, taking into account the fact that the shop is yet to be located, we direct the District Collector, Thoothukudi District to cause inspection of the site in question through the jurisdictional Tahsildar. The Tahsildar shall prepare a sketch of the property indicating the proposed location of the TASMAC and location of the other important public institutions. Notice should be issued to the petitioner before conducting inspection by the Tahsildar. The District Collector is directed to consider the report submitted by the Tahsildar along with the sketch and dispose of the representation submitted by the petitioner dated 27 March 2017 on merits and as per law. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. The interim order granted by this Court not to open the outlet shall continue till a decision is taken by the District Collector.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate Buildings,
Thoothukudi District.
2. The Assistant Commissioner,
Prohibition and Excise,
Collectorate Buildings,
Thoothukudi District.
3. The District Manager,
TASMAC, SIPCOT Campus,
Thoothukudi District.

+1cc to M/S.S.R.Sathan Boopathy, Advocate SR.No. 66757

+1cc to Special Government Pleader, SR.No. 66990

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and

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ARUL/SKM

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