



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

and

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.9373 of 2017

S.Ammasubramanian, (M/38/17)

.... Petitioner

vs.

1)The State of Tamil Nadu,
Represented by Home Secretary,
Home Department, St.George Fort,
Chennai-9.

2)The District Collector,
District Collector Office,
Trichy District.

3)The Superintendent of Police,
Pudukottai District.

4)The District Manager,
TASMAC, Pudukottai District.

.... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to shift the TASMAC Shop in Shop No.6552 from our Vilayapatty Village, Ponamaravathi Taluk, Pudukottai District to any other place on the basis of the petitioner's representation dated 20.03.2017 and 11.05.2017 within the stipulated period fixed by this Court.

For Petitioner	: Mr.R.Rajaraman
For R1 to R3	: Mr.B.Pugelendhi, Additional Advocate General, assisted by Mr.T.R.Janarthanam, Additional Government Pleader.
For R4	: Mr.M.Muniasamy

ORDER

(Order of the Court was made by M.V.MURALIDARAN, J.)

Heard Mr.R.Rajaraman, learned counsel appearing for the petitioner, Mr.B.Pugelendhi, Additional Advocate General, assisted by T.R.Janarthanam, Additional Government Pleader appearing for the respondents 1 to 3 and Mr.M.Muniasamy, learned counsel appearing for the 4th respondent.



2.By consent of both parties, this Writ Petition itself is taken up for final disposal.

3.Though the prayer in the writ petition is for issuance of a Writ of Mandamus, directing the respondents to shift the TASMACHOP in Shop No.6552 from our Vilayapatty Village, Ponamaravathi Taluk, Pudukottai District to any other place on the basis of the petitioner's representations dated 20.03.2017 and 11.05.2017 respectively, when the writ petition was taken up for hearing, learned counsel for the petitioner submitted that it is suffice, if a direction is issued to the 1st respondent to consider the representations of the petitioner dated 20.03.2017 and 11.05.2017 respectively and pass orders within a time frame to be fixed by this Court.

4.In view of the limited relief sought for, the 1st respondent is directed to consider the representations of the petitioner dated 20.03.2017 and 11.05.2017 respectively, in the light of the judgment of the Hon'ble Supreme Court in State of Tamil Nadu and others vs. K.Balu and another(Civil Appeal Nos.12164 to 12166 of 2016, dated 31.03.2017) followed by the First Bench of the Principal Seat of this Court in D.Ramesh vs. The District Collector, Namakkal District, Namakkal and two others(W.P.No.9373 of 2017, decided on 18.04.2017) and also in accordance with the Tamil Nadu Liquor Retail Vending (In-shops and Bars) Rules, 2003 framed under the Tamil Nadu Prohibition Act, 1937 and pass appropriate orders on merits and in accordance with law after affording an opportunity of personal hearing to the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True copy/

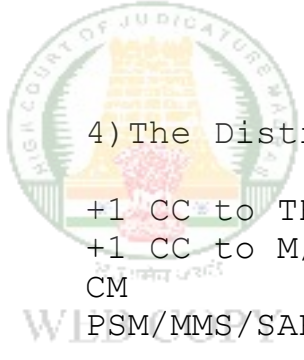
Sub Assistant Registrar

To

1)The State of Tamil Nadu, Represented by Home Secretary,
Home Department, St.George Fort, Chennai-9.

2)The District Collector, District Collector Office,
Trichy District.

3)The Superintendent of Police, Pudukottai District.



4) The District Manager, TASMAL, Pudukottai District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 57659/17.

+1 CC to M/s.R.RAJARAMAN, Advocate, SR No. 57181/17.

CM

PSM/MMS/SAR3/31.05.2017/3P/7C

W.P(MD)No.9373 of 2017
24.05.2017