

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2018

CORAM :

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

W.P.No.22381 of 2018

Suriya

... Petitioner

Vs

1. The State rep. by
The Inspector of Police,
Prohibition Enforcement Wing,
(P.E.W.) Polur, Thiruvannamalai District.
2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
4. The Secretary to Government,
Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009. Respondents

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 28.08.2018 and consequently direct to prevent to invoke a Bootlegger case against her mother Tmt.Selvi, W/o. Late Sekar, aged about 61 years, residing at Pillaiyar Koil Street, Polur, Thiruvannamalai District.

For Petitioner : Mr.S.L.Venkatesan

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

This Writ Petition has been filed for issuance of a writ of mandamus to direct the respondents to consider the petitioner's representation dated 28.08.2018 and consequently forbearing the respondents from invoking a Bootlegger case

against her mother Selvi, W/o. Late Sekar, aged about 61 years, residing at Pillaiyar Koil Street, Polur, Thiruvannamalai District.

2. The petitioner, on apprehension of her mother's detention under Act 14 of 1982, has given a representation to the 3rd and 4th respondents, and thereafter, filed the present writ petition for issuance of a writ of mandamus, to consider the said representation.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side), appearing for the respondents.

4. The learned counsel for the petitioner submitted that the respondents are contemplating to detain the petitioner's mother under Act 14 of 1982.

5. In the opinion of this Court, a direction as prayed for, cannot be granted, since, there is no statutory duty contemplated in Act 14 of 1982. Thus, in the absence of a statutory duty, for disposing of such a representation, a writ of mandamus cannot be issued.

Hence, the writ petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

mkn

To

1. The Inspector of Police,
Prohibition Enforcement Wing,
(P.E.W.) Polur, Thiruvannamalai District.
2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
4. The Secretary to Government,
Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.

Copy To:
The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.S.L.Venkatesan, Advocate SR.No.59904,60296

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VGI (CO)
RMP (20/09/2018)



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