

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.24421 of 2018
and
WMP No.28451 of 2018

Kolanji

..Petitioner

Vs.

1. The District Collector
Ariyalur District
Ariyalur.
 2. The Managing Director
Tamil Nadu State Marketing Corporation Limited (TASMAC)
CMDA, Tower II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai-600 008.
 3. The District Manager (TASMAC)
Ariyalur District
Ariyalur.
- ..Respondents

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents from opening the TASMAC liquor shop bearing Shop No.6444 at Senthurai - Udaiyarpalayam Road, Senthurai, Ariyalur District, by considering my representation dated 12.07.2018.

For Petitioner : Mr.R.Jayaprakash
For Respondents : Mr.N.Inbanathan
Additional Government Pleader
for R1
Mr.B.Nedunchezhiyan
Standing Counsel, for R2 & R3

O R D E R

Mr.N.Inbanathan, learned Additional Government Pleader takes notice for the first respondent. Mr.B.Nedunchezhiyan, learned Standing Counsel takes notice for the respondents 2 and

3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus forbearing the respondents from opening the TASMALC liquor shop bearing Shop No.6444 at Senthurai-Udaiyarpalayam Road, Senthurai, Ariyalur District, by considering his representation dated 12.07.2018.

3. Heard both sides.

4. The grievance of the petitioner before this Court is that the respondents are trying to locate the TASMALC shop No.6444 at the disputed site, when such location is against the public interest and also opposing the distance rules.

5. It is seen that the petitioner has already made a representation on 12.07.2018, ventilating such grievance. It is stated by the learned counsel for the petitioner that the said representation is still pending before the respondents. The learned counsel for the petitioner also submitted that the shop is not opened so far.

6. This Court, at this stage, is not expressing any view on the merits of the objection raised by the petitioner as against the location of the said TASMALC shop, as it is for the respondents, more particularly, the third respondent to consider and decide those objections. Therefore, without expressing any view on the merits of the matter, this writ petition is disposed of, only by directing the third respondent to consider the said representation dated 12.07.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, within a period of three weeks from the date of receipt of a copy of this order. The respondents also are directed not to open the said shop till an order is passed by the third respondent, if the shop is not already opened so far. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mk

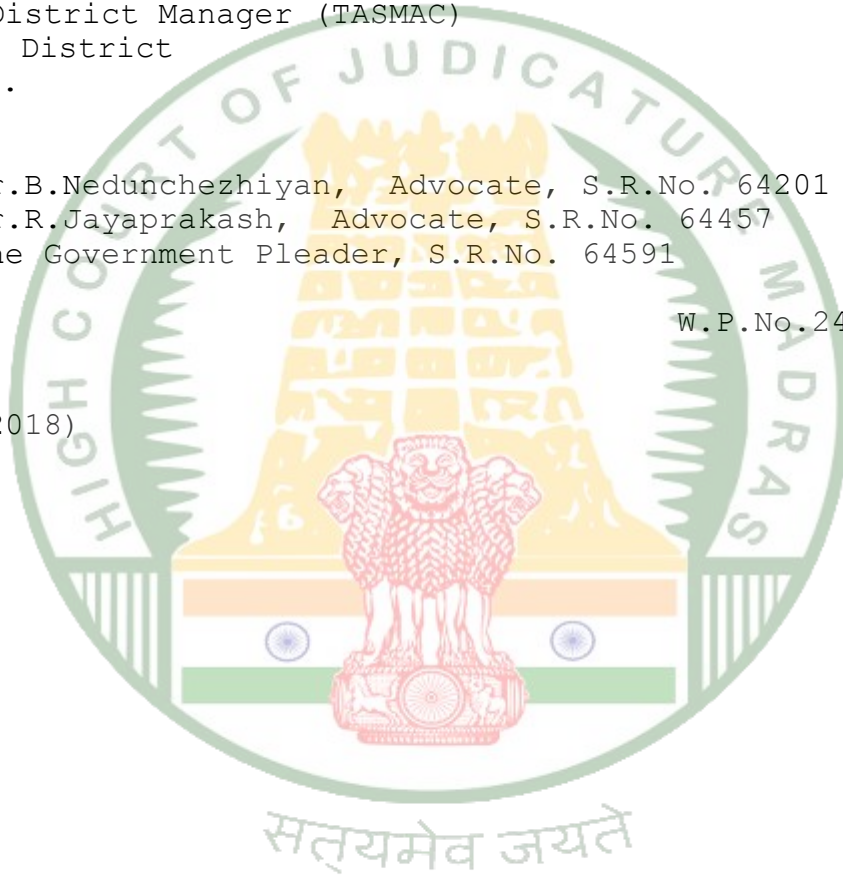
To

1. The District Collector
Ariyalur District
Ariyalur.
2. The Managing Director
Tamil Nadu State Marketing Corporation Limited (TASMAC)
CMDA, Tower II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai-600 008.
3. The District Manager (TASMAC)
Ariyalur District
Ariyalur.

+lcc to Mr.B.Nedunchezhiyan, Advocate, S.R.No. 64201
+lcc to Mr.R.Jayaprakash, Advocate, S.R.No. 64457
+lcc to the Government Pleader, S.R.No. 64591

W.P.No.24421 of 2018

GN(24/09/2018)



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