

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

WP.No.14783 of 2017
and
WMP No.16033 of 2017

N.Vimal ... Petitioner

vs.

1. The District Collector,
Kancheepuram District, Kancheepuram.

2. The Tahsildar,
Thiruporur Taluk, Kancheepuram District.

3. The District Manager,
TASMAC, Kancheepuram.

4. Muthuvel Respondents

WRIT Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the respondents 1 and 3 to take necessary action to cancel the licence of TASMAC Shop No.4322, issued to them and prevent re-location at Shop No.4322 situated, Kovalam Road, Jothi Nagar, Kelambakkam Village, Thiruporur Taluk, Kancheepuram District, between Jothi Nagar and Dr.Ambedkar Nagar, within 500 mtrs. Old Mahabalipuram Road, as made the petitioner's representation dated 24.04.2017 to the Respondent-officials, particularly the 1st respondent.

For Petitioner : Mr.R.Thanjan

For Respondents: Mr.E.Manoharan (for R1 & R2)

Additional Government Pleader

Mr.P.Arumuga Rajan (for R3)

Standing counsel for TASMAC

ORDER

(Order of the Court was made by S.MANIKUMAR, J)

Instant writ petition is for a mandamus, directing the respondents 1 and 3 to take necessary action to cancel the

licence of TASMAC Shop No.4322, issued to them and prevent re-location at Shop No.4322 situated, Kovalam Road, Jothi Nagar, Kelambakkam Village, Thiruporur Taluk, Kancheepuram District, between Jothi Nagar and Dr.Ambedkar Nagar, within 500 mtrs., Old Mahabalipuram Road, as made in the petitioner's representation dated 24.04.2017 to the Respondent-officials, particularly the 1st respondent.

2. On 16.06.2017, a Hon'ble Division Bench of this Court, passed the following orders:

"The learned counsel for the petitioner would submit that proposed re-location of the TAXMAC shop No.4322 is within the prohibited distance, especially, that it is going to be located within 100 metres from the Government School and therefore, prays for appropriate orders.

2. Per contra, Mr.K.Venkataramani, learned Additional Advocate General assisted by Mr.B. Nedunchezhiyan, learned counsel for the 3rd respondent has produced the letter of the District Manager, TASMAC, Kancheepuram South, dated 15.06.2017 wherein it has been stated that proposed shop is not going to be located within 100 metres and as per the directions of the Hon'ble Supreme Court of India, it is going to be located near Kelambakkam, which is a rural area and the population is less than 20,000 as per 2011 census.

3. Mr.M.K.Subramaniam, learned Government Pleader accepts notice on behalf of the respondents 1 and 2.

4. The learned counsel for the petitioner seeks time to get further instructions.

5. Call on 21.07.2017."

3. On this day, when the matter came up for hearing, Mr.P.Arumuga Rajan, learned standing counsel for TASMAC/3rd respondent submitted that proposal to locate the government liquor shop at the abovesaid place has been dropped. Submission is placed on record.

4. In view of the above, nothing remains in the instant writ petition, for adjudication. Hence, instant writ petition is dismissed. No Costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Kancheepuram District, Kancheepuram.

2. The Tahsildar,
Thiruporur Taluk, Kancheepuram District.

3. The District Manager,
TASMAC, Kancheepuram.

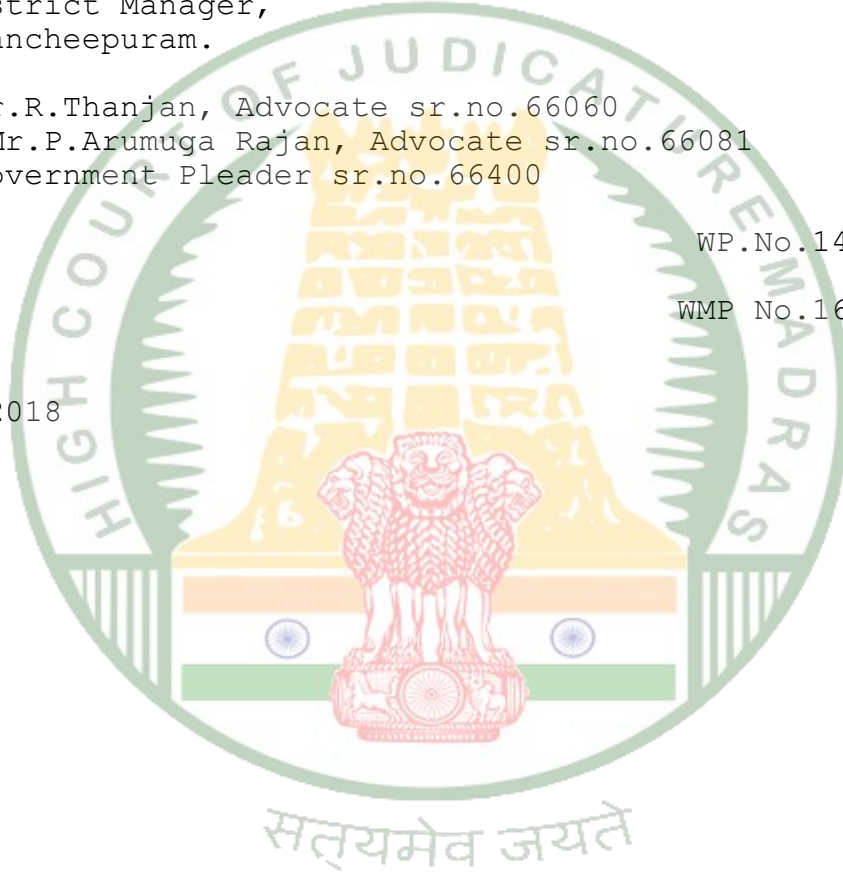
+1cc to Mr.R.Thanjan, Advocate sr.no.66060

+1cc to Mr.P.Arumuga Rajan, Advocate sr.no.66081

+1cc to Government Pleader sr.no.66400

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and
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rsi(co)
nr 25/10/2018



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