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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.1685 of 2019
and WMP No.1887 of 2019

B.V.Krishnamurthi

.. Petitioner

Vs.

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. Tamil Nadu State Marketing Corporation Ltd.,
Rep. by its Managing Director,
MMDA Annex, IV Floor,
Egmore, Chennai - 600 008.

3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Krishnagiri at Krishnagiri.

4. The Tahsildar,
Shoolagiri Taluk,
Krishnagiri District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, issuance of a Writ of Mandamus, forbearing the respondents 1 to 3 herein from in any manner, establishing or opening a new IMFL Shop within the Bukkasagaram Village Panchayat, Soolagiri Taluk, Krishnagiri District.

For Petitioner : Mrs.S.Priyadharshini
for Mr.K.Premkumar

For Respondents: Mr.Akhil Akbarali (for R1 & R4)
Government Advocate
Mr.D.Krishna Pradeep (for R2 & R3)



O R D E R

(Order of this Court was made by S.Manikumar, J.)

On 30.01.2019, a Hon'ble Division Bench of this Court has passed the following order.

"The grievance expressed by the petitioner who has come forward to file the present writ petition styled as a Public Interest Litigation, is that there is already an existing liquor shop being run by the Tamil Nadu State Marketing Corporation Limited [TASMAC] and that apart, a new shop is sought to be open in Bukkasagaram Village Panchayat, Soolagiri Taluk, Krishnagiri District and very many representations submitted and agitations conducted, failed to invoke any kind of response and hence came forward to file the present writ petition.

2. Notice to the respondents through Court as well as privately, returnable by 27.02.2019.

3. Mr.E.Manoharan, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 4 and Mr.B.Nedunchezhiyan, learned standing counsel accepts notice on behalf of the respondents 2 and 3 and on instructions, would submit that the shop is already functioning.

4. In the light of the above facts and circumstances, this Court directs the 3rd respondent to file a counter affidavit meeting out the allegations and that apart, the contents of the counter affidavit should also state whether the food articles sold / dispensed, are strictly in conformity of FSSAI Standards and abatement of nuisance especially, law and order problem caused on account of the behaviour of the drunkards and that, areas in and around the said shop is maintained in a neat, tidy and sanitary condition. The counter affidavit shall also accompany by supporting documents.

5. Call on 27.02.2019.

2. On instructions, Mr.D.Krishna Pradeep, learned standing counsel for respondents 2 and 3 submitted that proposal to open TASMAC Shop in Bukkasagaram Village, Soolagiri Taluk, Krishnagiri District, has been dropped.

3. Placing on record the above, no further directions are



required to be issued in this writ petition. Accordingly, Writ petition is disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

ars

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
MMDA Annex, IV Floor,
Egmore, Chennai - 600 008.

3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Krishnagiri at Krishnagiri.

4. The Tahsildar,
Shoolagiri Taluk,
Krishnagiri District.

+lcc to Mr.N.Damodharan, Advocate, SR.No.56380
+lcc to the Govt.Pleader, Vide Sr.No.56572

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Kak(19/08/2019)



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