

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.03.2019

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. No.8060 of 2019

K.Kannappan
No.2/155E, Jayasakthi Nagar,
Muthampalayam,
Sengappalli 638 812
Tiruppur District.

.. Petitioner

Vs.

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Tamil Nadu State Marketing Corporation Limited (TASMAC)
Rep.by its Managing Director,
"Thalamuthu Natarajan Maaligai"
Gandhi -Irwin Road,
Egmore, Chennai 600 008.

3.The Tamil Nadu State Marketing Corporation Limited (TASMAC)
Rep.by its Regional Manager,
305A, Vilankurichi Road, Peelamedu Railway Station back side,
Chintamani Co-operative Society Depot,
Peelamedu, Coimbatore 641 004.

4.The Tamil Nadu State Marketing Corporation Limited (TASMAC)
Rep.by its District Manager,
Tiruppur District, Office of the Collectorate,
Tiruppur.

..Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to forthwith close down the TASMAC Wine Shop No.2343 in Survey No.197/3A at Sengampalli Village, Oothukuly Taluk, Tiruppur District.

For Petitioner : Mr.Muthukrishnan.P

For Respondents: Mr.Zakir Hussain (for R1)
Government Advocate

Mr.K.Sathish Kumar (for R2 to R4)

O R D E R

The petitioner has rushed to Court, in my opinion, prematurely seeking Mandamus directing the respondents to forthwith close down the TASMAC Wine Shop No.2343 in Survey No.197/3A at Sengampalli Village, Oothukuli Taluk, Tiruppur District by considering and passing orders on his representation dated 02.03.2019.

2.Mr.Zakir Hussian, learned Government Advocate takes notice for the 1st respondent and Mr.K.Sathish Kumar, learned counsel takes notice for 2 to 4 respondents.

3.Seeing as the representation has itself been filed on 02.03.2019, the writ petitioner ought to have wait for a reasonable period, before rushing to Court. Be that as if may, the allegation is that the TASMAC in question is situated within 100 meters from an Anganvadi School as well as a Temple. Further, the Senga Vinayagar Temple, which is under the control of the Hindu Religious and Charitable Endowments Department is also located within 500 meters of the wine shop. According to the petitioner there are several families residing in close proximity to the wine shop. Solely on account of the aforesaid, I direct the respondents, the District Collector, Tiruppur District to pass appropriate orders upon representation dated 02.03.2019 after affording an opportunity of personal hearing to the petitioner, within four (4) weeks from the date of receipt of a copy of this order, after conducting necessary verification and inspections.

4.The Writ Petition is disposed of in the above terms. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Manging Director,
The Tamil Nadu State Marketing Corporation Limited (TASMAC)
"Thalamuthu Natarajan Maaligai"
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3.The Regional Manager,
The Tamil Nadu State Marketing Corporation Limited (TASMAC)
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4.The District Manager,
The Tamil Nadu State Marketing Corporation Limited (TASMAC)
Tiruppur District, Office of the Collectorate,
Tiruppur.

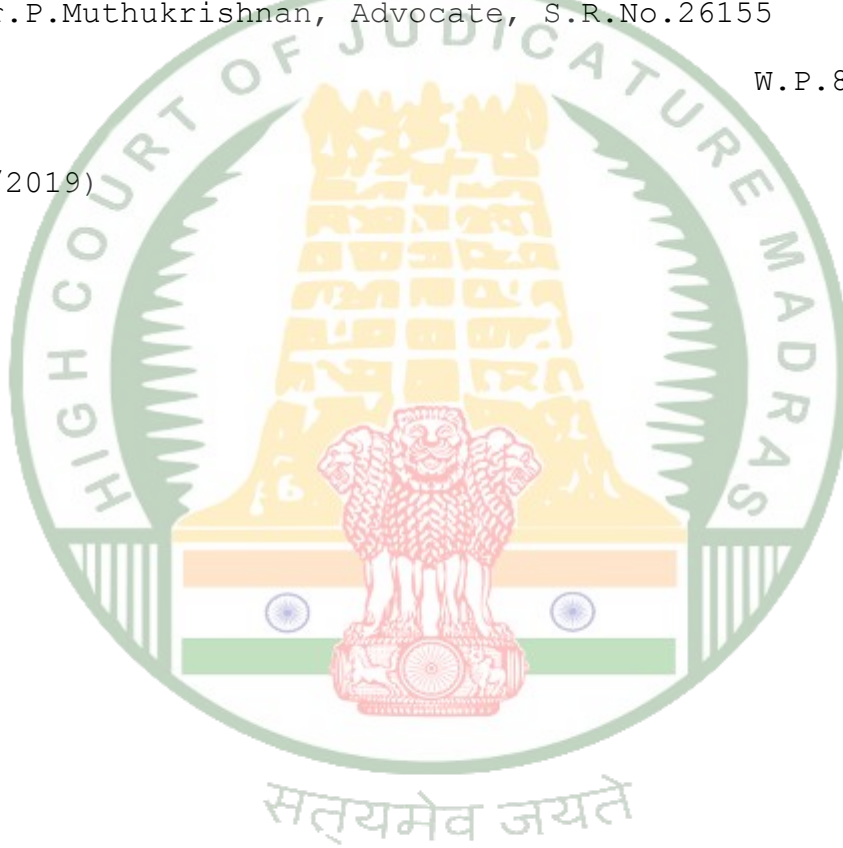
+lcc to Mr.K.Sathish Kumar, Advocate, S.R.No.26176

+lcc to Mr.P.Muthukrishnan, Advocate, S.R.No.26155

W.P.8060 of 2019

AR J

RRS (07/05/2019)



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