

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.2.2019

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.17371 of 2017 and

W.M.P. No.18864 of 2017

G.Suresh

... Petitioner

Vs.

1.State of Tamil Nadu
Represented by its Secretary
Department of Prohibition and Excise
Fort St. George, Chennai - 600 009

2.The Tahsildar
Sithanlur
Valangaiman Taluk
Thiruvarur District

3.District Collector
Collectorate
Master Plan Complex
Thiruvarur District

4.Illayaraja

5.The District Manager
TASMAC Limited
Tiruvarur District
(R5 suo motu impleaded as per order
dt.10.7.2017 in WP)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for a writ of mandamus, directing the 1st respondent to shut down and demolish the TASMAC shop bearing Registration No.Nil situated in Sithanvalur village, Valangaiman Taluk, Thiruvarur District.

For Petitioner : Ms.Preethi S. Arasu
for Mr.S.R.Raghunathan

For Respondents: Mr.Akhil Akbarali, Govt. Advocate
for R1 to R3
Mr.B.Nedunchezhiyan,
Standing Counsel for R5

ORDER

(delivered by S.MANIKUMAR, J)

Petitioner has sought for a writ of mandamus, directing the 1st respondent to shut down and demolish the TASMAC shop bearing Registration No.Nil situated in Sithanvalur village, Valangaiman Taluk, Thiruvarur District.

2. On instructions from the District Manager, TASMAC Ltd, Thiruvarur/respondent No.5, Mr.B.Nedunchezhiyan, learned standing counsel for TASMAC Ltd, submitted that Shop No.9659 at Sithanvalur village, is closed. The proceedings of the District Manager, TASMAC Ltd, Tiruvarur District addressed to the Standing Counsel for TASMAC Ltd. in R.C. No.05/2017/A1 dated 27.9.2018, is reproduced hereunder:

Tamil Nadu State Marketing Corporation Ltd.,
Tiruvarur District

From

To

Tmt.M.S.Vassundradevi, M.B.A. Thiru.B.Nedunchezhiyan
District Manager, Advocate, High Court of
TASMAC Ltd. Madras, Standing Counsel
Tamil Nadu State Marketing
Corporation Ltd., Chennai

R.C. No.05/2017/A1 dated 27.9.2018

Sir,

Sub: TASMAC Ltd - Tiruvarur District W.P.
No.17371 of 2017 and W.P. No.18864/2017 - Writ
filed by Mr.Suresh, Agraharam, Sithanvalur,
Valangaiman Taluk, Writ filed against
opening to TASMAC wine shop at Sithanvalur
Village - shop closed due to public
objection - regarding

Ref: High Court of Madras - W.P. No.17371/2017
and 18864 of 2017 dated 21.12.2017

I invite kind attention to the above reference cited.

In this connection, I am to state that Shop No.9659 Sithanvalur TASMAC shop is closed on the FN of 12.02.2018 due to public objection. Hence I request that necessary action may kindly be initiated to close

the W.P. No.17371 of 2017 and W.P. No.18864 of 2017
pertaining to TASMAL Ltd., Tiruvarur District and
communicated the result of case as early.

Yours faithfully,

District Manager
TASMAL, Tiruvarur

3. Placing on record the above, no mandamus required to be
issued. Accordingly, the writ petition is dismissed. However,
there shall be no order as to costs. Consequently, the connected
writ miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

asr

To

1.The Secretary

Department of Prohibition and Excise
Fort St. George, Chennai - 600 009

2.The Tahsildar

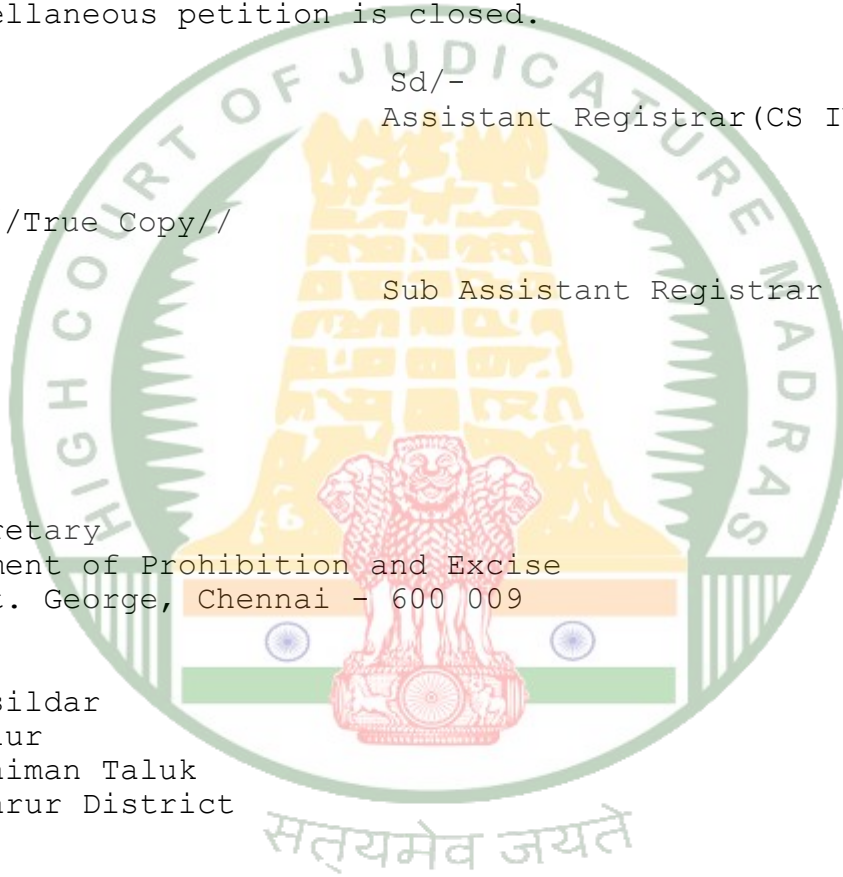
Sithanlur
Valangaiman Taluk
Tiruvarur District

3.District Collector

Collectorate
Master Plan Complex
Tiruvarur District

4.The District Manager

TASMAL Limited
Tiruvarur District



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+lcc to Government Pleader sr.no.19308
+lcc to Mr.B.Nedunchezhiyan, Advocate sr.19242
+lcc to Mr.S.R.Raghunathan, Advocate sr.19166

W.P.No.17371 of 2017 and
W.M.P. No.18864 of 2017

rsi(co)
nr 23/04/2019



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