

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2019

C O R A M

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

W.P.No.34234 of 2018
and
W.M.P.No.39780 of 2018

N.Chinna Vedichi

... Petitioner

Vs.

- 1.Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
TASMAC - IV Floor, Gandhi Irwin Road,
Egmore, Chennai - 8.
- 2.District Collector,
Erode District, Erode.
- 3.District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
TASMAC, Erode District, Erode.
- 4.Superintendent of Police,
Erode.
- 5.Inspector of Police,
Bhavani Police Station,
Bhavani, Erode District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents not to locate liquor shop in the locality of Nallipalayam, Jambai and Natthakkadu in Bhavani Taluk and Erode District by considering the petitioner's representation dated 10.12.2018.

For Petitioner : Mr.P.Rajavel

For R1 and R3 : Mr.K.Sathiskumar

For R2, R4
and R5 : Mr.Akhil Akbar Ali
Government Advocate.

O R D E R
(Order of the Court was made by S.MANIKUMAR, J)

Petitioner has sought for a Writ of Mandamus, directing the respondents, not to locate liquor shop in the locality of Nallipalayam, Jambai and Natthakkadu in Bhavani Taluk, Erode District, by considering his representation, dated 10.12.2018.

2. Supporting the prayer sought for, petitioner has contended that the place where TASMAC shop is proposed, there is a Panchayat Union Elementary School, a temple and residential places. According to him, if shop is located in the abovesaid place, it would affect many.

3. Apprehending location of shop in the locality of Nallipalayam, Jambai and Natthakkadu in Bhavani Taluk, Erode District, petitioner has sent a representation, dated 10.12.2018 and further contended that the said representation, has not been considered. Hence, the petitioner has filed the instant writ petition, for the prayer, as stated supra.

4. On notice, Mr.K.Sathiskumar, learned counsel for the Managing Director, TASMAC, Chennai and District Manager, TASMAC, Erode District/the respondents 1 and 3, submitted that there is no planning permission for the building, where TASMAC shop is proposed to be located. Shop is yet to be opened.

5. Placing on record the above, we are of the view that, it is suffice the District Collector, Erode District/the 2nd respondent herein, to consider the representation of the petitioner, dated 10.12.2018 and pass orders in accordance with law and on merits.

6. Accordingly, writ petition is disposed of. No Costs. Consequently, the connected writ miscellaneous petition is closed.

dm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
TASMAC - IV Floor, Gandhi Irwin Road,
Egmore, Chennai - 8.

2.District Collector,
Erode District, Erode.

3.District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
TASMAC, Erode District, Erode.

4.Superintendent of Police,
Erode.

5.Inspector of Police,
Bhavani Police Station,
Bhavani, Erode District.

+1cc to Mr.P.Rajavel, Advocate, SR.No.71473

+1cc to Mr.K.Sathish Kumar, Advocate, SR.No.71521

+1cc to the Govt.Pleader, Vide Sr.No.72681

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Kak(09/10/2019)



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