

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Dated : 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) No.10323 of 2019

R.Karuppasami ... Petitioner
Vs.

1. The District Collector,
Theni District,
Theni.
2. The Assistant Commissioner,
Prohibition and Excise Department,
Theni District,
Theni.
3. The District Manager,
TASMAC,
Theni District,
Theni.

4.K.Surulivel ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents not to accord permission to open the TASMAC shop in Dombuchery Village, Bodinayackanur Taluk, Theni District in Sl.No.205/1 near the bus stop in 4th respondent building, considering the representation of the petitioner to the respondents dated 20.04.2019.

For Petitioner : Mr.A.Mithun Chakravarthi

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader
for R.1 & R.2

Mr.B.Jameel Arasu
Standing Counsel for R.3

**ORDER****P.N.PRAKASH, J.,**

Heard the learned counsel appearing for the respective parties.

2. The case of the petitioner is that the respondents 1 to 3 are likely to give permission to the fourth respondent to open a TASMACH shop in Dombuchery Village, Bodinayackanur Taluk, Theni District in S.No.205/1, near the bus stop and therefore, this writ petition, as a public interest litigation, has been filed for a Mandamus to restrain the authorities from giving permission for opening the TASMACH shop.

3. Mr.B.Jameel Arasu, learned Standing Counsel for the third respondent submitted that there is no proposal by the authorities to open a TASMACH shop in S.No.205/1, as contended by the petitioner.

4. In such view of the matter, recording the submission made by the learned Standing Counsel for the third respondent, this writ petition stands closed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Theni District, Theni.
2. The Assistant Commissioner,
Prohibition and Excise Department,
Theni District, Theni.

+1 CC to Mr.B.JAMEEL ARASU, Advocate (SR-63263[F] dated 27/04/2019)

+1 CC to SPECIAL GOVERNMENT PLEADER, (SR-64014[F] dated 29/04/2019)

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