



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.7633 of 2019
and
W.M.P. (MD) Nos.6072 and 6627 of 2019

D.Rajeswari

... Petitioner

-vs-

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Court Road, Dindigul.

3.The Tahsildar,
Nilakottai.

4.The District Manager,
TASCO Unit,
Mullipadi,
Dindigul - 624 005.

5.The Tahsildar,
Excise Department,
Collectorate,
Dindigul.

6.The Manager,
TASMAC Shop No.3165,
Chatram Street,
Natarajapuram,
Nilakottai.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to permanently close the TASMAC retain vending shop opened in Chatram Street, Natarajapuram in Nilakottai Town - a residential area and maintain it free from the menace of liquor and its attendant difficulties.

For Petitioner: Mr.N.Dilip Kumar

<https://hcservices.ecourts.gov.in/hcsservices/>

For Respondents : Mr.A.Muthukaruppan, AGP for RR1 to 3 & 5
Mr.H.Arumugam, for RR4 and 6



O R D E R

[Order of the Court was made by S.S.SUNDAR, J.]

This writ petition has been filed seeking for a writ of Mandamus, directing the respondents to permanently close the TASMAC retail vending shop opened in Chatram Street, Natarajapuram in Nilakottai Town - a residential area and maintain it free from the menace of liquor and its attendant difficulties.

2.Earlier, on 01.04.2019, this Court appointed an Advocate Commissioner to find out whether the TASMAC shop is located within the prohibited distance or not? Accordingly, the Advocate Commissioner filed a report in favour of the petitioner that the location of the TASMAC shop is within the prohibited distance.

3.In such circumstances, when the matter is called today, the District Manager, TASMAC, Dindigul has given an intimation to the standing counsel concerned that the shop in question bearing No.3165 has been closed from 22.04.2019 due to administrative reasons.

4.Since the TASMAC shop has already been closed, this writ petition is disposed of recording the fact that the TASMAC shop is closed. However, it is made clear that the respondents shall not open the shop in the same place without an order of this Court. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector, Dindigul District, Dindigul.

2.The Revenue Divisional Officer, Court Road, Dindigul.

3.The Tahsildar, Nilakottai.

4.The Tahsildar, Excise Department, Collectorate, Dindigul.

+1cc to Mr.N.Dilip Kumar, Advocate, SR.No.62678

+1cc to Mr.K.Selvaraj, Advocate, SR.No. 63114

+1cc to Mr.H.Arumugam, Advocate, SR.No.62538

+1cc to M/s.Special Government Pleader, SR.No. 62476

W.P. (MD) No.7633 of 2019

and

W.M.P. (MD) Nos.6072 and 6627 of 2019

24.04.2019

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