



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

Monday, the First day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN

AND

The Hon`ble Mr.Justice S.S.SUNDAR

WP(MD) . No.6264 of 2019

P.D.SAI PRASATH,
S/O.P.T.DURAIRAJAN NO.162 SALIYAMANGALAM
ROAD PAPANASAM THANJAVUR DISTRICT.

... Petitioner

Vs

1 THE DISTRICT COLLECTOR,
THANJAVUR DISTRICT COLLECTORATE THANJAVUR.

2 THE TAHSILDAR,
PAPANASAM TALUK THANJAVUR DISTRICT.

3 THE MANAGER,
TAMILNADU STATE MARKETING CORPORATION LTD.
RETAIL SHOP AT SALIYMANGALAM ROAD PAPANASAM
THANJAVUR DISTRICT.

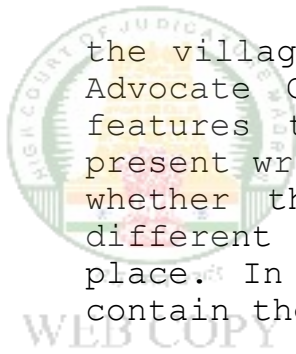
4 THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION PAPANASAM
THANJAVUR DISTRICT.

... Respondents

Petition filed under Article 226 of the Constitution of India, Praying this Court To issue a Writ of Mandamus directing the respondents to shift the TSMAC retail vending shop at Saliyamangalam Road, Papanasam , Thanjavur District to some other place considering petitioner's representation dated 25/02/2019.

TO

Mr.VIGNESH.S, Advocate,
4/165, Kambar Street, E.B.Colony, Iyyer
Bungalow, Madurai-17
(Mobile No.82485 93939.)



the village and the TASMAL Shop No.7848 in question, further the Advocate Commissioner would point out the important factors and features that would be relevant to consider the merits of the present writ petition. The Advocate Commissioner shall also find out whether the TASMAL Shop No.7848 was intended to be located in different location and licence was also obtained only for the said place. In other words, the Advocate Commissioner's report should contain the answer for the following queries:

1. When the licence obtained for Shop No.7848 is in respect of the building in question?

2. Where the TASMAL shop was previously located?

3. Whether the location of TASMAL shop is likely to or causes inconvenience and nuisance to the public and school going children?

4. Whether the said TASMAL shop satisfies the statutory requirements in terms of Rule 8 of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules?

The Advocate Commissioner is directed to note down the physical features as may be suggested by both petitioners as well as the respondents.

You are further informed that the initial remuneration for the Commissioner is fixed as Rs.25,000/- (Rupees Twenty Five Thousand Only) and the petitioner is directed to bear the same.

This Advocate Commissioner shall get the assistance of the local Police and Taluk Surveyor.

The District Collector, Thanjavur, shall ensure that a Qualified Taluk Surveyor, assists the Advocate Commissioner, for executing the Warrant of Commissioner.

This matter stands adjourned to 08.04.2019 for the report of Advocate Commissioner.

Witness the Honourable **SHRIMATI VIJAYA KAMLESH TAHILRAMANI** the Chief Justice of the High Court of Judicature at Madras on Monday the First Day of April Two Thousand and Nineteen.

ASSISTANT REGISTRAR (CS III)



WEB COPY

ORDER DATED : 01/04/2019

HEARING DATE : 08/04/2019

=====

ADVOCATE COMMISSIONER

=====

WP(MD) . No.6264 of 2019

Giving direction and etc.
as stated within.

DS RSK 04 04 2019 3P 3C