



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. (MD) No.21484 of 2019

Thirupathi

... Petitioner

-vs-

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The TASMAC Manager,
Tasmac Office,
Sipcot Compound,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove or to shift the liquor shop No.6673 situated at Thengaithinnipatti, Viralimalai Taluk, Pudukkottai District based on the petitioner's representation to the respondents dated 12.09.2019.

For Petitioner	: Mr.J.Senthil Kumar
For 1 st Respondent	: Mr.A.Muthukaruppan Additional Government Pleader
For 2 nd Respondent	: Mr.H.Arumugam Standing Counsel for TASMAC

O R D E R

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

Heard Mr.J.Senthil Kumar, learned counsel appearing for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the first respondent and Mr.H.Arumugam, learned Standing Counsel appearing for the second respondent.

2.By consent on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner by way of this Public Interest Litigation seeks for a direction to the respondents to remove or shift the



liquor shop bearing No.6673 by considering his representation dated 12.09.2019.

4.The allegation made in the representation is that the shop is located within 220 meters from the State High Way, though it is located in a Panchayat Road leading to the State Highway and the petitioner would state that the shop offends the distance rule.

5.The learned Standing Counsel appearing for the second respondent would submit that the liquor shop is located in the Panchayat Road and not in the vicinity of the State Highway and it does not offend the distance rule.

6.In the light of the disputed questions of facts, we direct the first respondent District Collector, Pudukkottai District to look into the matter and to direct one of his official to inspect the shop in question and if it is found located in the manner objectionable either in violation of the statutory rules or the directions issued by this Court, then appropriate action be initiated by the District Collector in accordance with law. The above order shall be complied with within 12 weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

+1 CC to Mr.H.ARUMUGAM, Advocate (SR-91879[F] dated 15/10/2019)
+1 CC to spl.GP (SR-91925[F] dated 15/10/2019)

W.P. (MD) No.21484 of 2019
14.10.2019

SJ

MK (23.10.2019) 2P 4C