



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : **04.10.2019**  
CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**  
and  
**THE HONOURABLE MRS.JUSTICE R.THARANI**

**W.P(MD)No.21347 of 2019**  
and  
**W.M.P. (MD)No.17991 of 2019**

S.Shakul Hameed ... Petitioner  
Vs.

1.The District Collector,  
Nagercoil,  
Kanyakumari District.

2.The Assistant Commissioner,  
Prohibition and Excise,  
Nagercoil,  
Kanyakumari District.

3.The District Manager,  
Tamil Nadu State Marketing Corporation (TASMAC),  
Nagercoil, Kanyakumari District.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents herein not to locate any new propose TASMAC shop within the jurisdiction of the petitioner village situated at Mancode village Panchayat and Puliyoorsala Village Panchayat, Vilavancode Taluk, Kanyakumari District on the basis of the petitioner representation dated 24.09.2019.

For Petitioner : Mr.C.Bharathi  
For R1 and R2 : Mr.S.Angappan  
Government Advocate  
For R3 : Mr.B.Jameel Arasu

**ORDER**

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

Heard Mr.C.Bharathi, learned counsel appearing for the petitioner, Mr.S.Angappan, learned Government Advocate for the official respondents and Mr.B.Jameel Arasu, learned counsel for the third respondent. By consent on either side, this writ petition is taken up for final disposal.



2. The petitioner has filed this writ petition to direct the respondent not to locate the TASMAC shop at Mancode village Panchayat and Puliyoorsala Village Panchayat, Vilavancode Taluk, Kanyakumari District.

3. Earlier, the petitioner approached this Court and filed W.P. (MD) No. 24186 of 2018, which was disposed of by an order, dated 13.12.2018 stating that the TASMAC shop has already been closed and there is no proposal to relocate the shop in the very same location.

4. The petitioner is now before this Court, once again, stating that the TASMAC officials came to the spot and they are proposing to relocate the shop in the very same place.

5. The learned counsel appearing for the third respondent submitted that there is no proposal to relocate the shop.

6. The above submission is placed on record and the respondents are restrained from locating any TASMAC shop in the area in question.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS )

To

1. The District Collector,  
Nagercoil,  
Kanyakumari District.

2. The Assistant Commissioner,  
Prohibition and Excise,  
Nagercoil,  
Kanyakumari District.

+1 CC to MR.B. JAMEEL ARASU, Advocate (SR-91467[F] dated 04/10/2019 )

+1 CC to SPL.GP ( SR-91624[F] dated 09/10/2019 )

+1 CC to MR.C.BHARATHI, Advocate ( SR-91665[F] dated 09/10/2019 )

**W.P (MD) No.21347 of 2019**

**04.10.2019**

**TA**

   MK (23.10.2019) 2P 6C

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