



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.21841 of 2019

and

W.M.P. (MD) .No.18582 of 2019

S.Manoharan

... 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: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein not to locate any new propose TASMAC shop within the jurisdiction of my village Kadayal Panchayat Limit, Vilavankode Taluk, Kanyakumari District on the basis of the petitioner's representation dated 10.10.2019.

For Petitioner

:Mr.K.K.Samy

For R1

:Mr.A.K.Baskara Pandian

Special Government Pleader

For R2 and R3

:Mr.B.Jameel Arasu

ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.K.K.Samy, learned counsel appearing for the
petitioner in Mr.A.K.Baskara Pandian, learned Special Government
<https://hcservicescourts.gov.in/hcservices>



Pleader appearing for the third respondent and Mr.B.Jameel Arasu, learned counsel appearing for the second and third respondents.

2.By consent on either side, this writ petition is taken up for disposal.

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3.The petitioner seeks for a direction not to locate any new propose TASMAC shop within the jurisdiction of the village, viz., Kadayal Panchayat Limit, Vilavankode Taluk, Kanyakumari District, on the basis of the petitioner's representation dated 10.10.2019.

4.Admittedly, as on date no TASMAC shop has been opened in the Village and we are informed by the learned Special Government Pleader appearing for the first respondent that the said proposal is pending.

5.Considering the fact that for all the years, there has not been TASMAC retail vending shop in the village, the respondents should not establish the shop. This Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

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.

+1CC TO MR.K.K.SAMY, Advocate Sr. No.92168

+1CC TO MR.B.JAMEEL ARASU, Advocate Sr. No. 92541

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and W.M.P. (MD) .No.18582 of 2019

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PM(CO)

TR(05.11.2019) 2P 6C