



WEB COPY

W.P(MD)No.22197 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.22197 of 2019

and

W.M.P. (MD)No.18980 of 2019

Velappan

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Superintendent of Police,
Kanyakumari District.

3.The Kanyakumari District Manager,
TASMAC, Shenbagaramapudur,
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 forthwith to close and remove the TASMAC shop No.4849 situated at Gothanallur Village, Kaumarapuram Panchayat, Kanyakumari District and TASMAC shop No.4859 at Mecode Village, Verkilambi Panchayat, Kanyakumari District based on the representation dated 12.10.2019 and 15.10.2019.

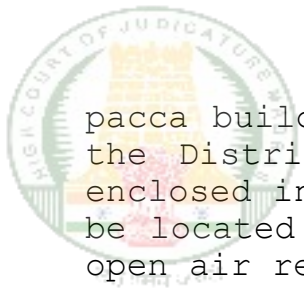
For Petitioner	: Mr.M.Ramu
For R1 and R2	: Mr.A.Muthukaruppan Additional Government Pleader
For R3	: Mr.B.Jameel Arasu Standing counsel

ORDER

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

Heard Mr.M.Ramu, learned counsel for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader for the official respondents and B.Jameel Arasu, learned standing counsel for the third respondent. By consent on either side, this writ petition is taken up for final disposal.

2. The petitioner is before this Court seeking to close down the TASMAC shop on the ground that it is in open outlet without any



pacca building. In this regard, representations have been given to the District Collector and others and photographs have also been enclosed in the typed set of papers. The Rule mandates the shop can be located in a pucca building and there is no provision to have an open air retail vending liquor shop.

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3. Therefore, we direct the District Collector to authorize one of his Senior Officers to conduct surprise inspection and if there is violation of the Rules, appropriate orders may be issued to close down the shop.

4. The above direction shall be complied with within a period of ten days from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Superintendent of Police,
Kanyakumari District.

+1 CC to M/s.M.RAMU, Advocate SR-93291.

+1 CC to SPL GP SR-93568.

+1 CC to M/s.B.JAMEEL ARASU, Advocate SR-93666.

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CS(24.10.2019) 2P 6C