



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD]No.22905 of 2019

D.Valli

: Petitioner

Vs.

1.The District Collector,
Madurai.

2.The Superintendent of Police,
Madurai District.

3.The Tamil Nadu State Marketing Corporation Limited,
Rep. by its Managing Director,
CMDA Tower - 2,
4th Floor, Egmore, Chennai - 600 008.

4.The District General Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Madurai District,
Manalur, Madurai District.

5.The Tahsildar,
Melur Taluk, Madurai District.

6.The Inspector of Police,
Melur Police Station,
Madurai.

7.Singari

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 10.10.2019 and direct them to ensure not to open TASMAL liquor sales shop and bar in Sunnambur, Keeranur Village, Melur Taluk, Madurai District.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents 1 to 6 : Mr.S.Angappan
Government Advocate



O R D E R

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

By consent of both parties, the Writ Petition is taken up for disposal at the admission stage itself.

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2.Heard Mr.P.Ganapathi Subramanian, learned Counsel appearing on behalf of the petitioner and Mr.S.Angappan, learned Government Advocate accepting notice on behalf of respondents 1 to 6.

3.This Writ Petition, styled as a Public Interest Litigation seeks for a direction to ensure that the authorities shall not permit opening of TASMAL Liquor Shop in Sunnambur, Keeranur Village, Melur Taluk, Madurai District, in the premises alleged to be owned by the seventh respondent.

4.Earlier, the petitioner had approached this Court and filed W.P.[MD]No.4717 of 2019 for an identical relief. When the writ petition was heard by the Hon'ble Division Bench, learned Counsel appearing for TASMAL, on instructions submitted that the shop in question has already been closed. Recording the same, the Writ Petition was dismissed as infructuous.

5.The petitioner would now state that the seventh respondent has thrown an open challenge that he will some how ensure that the shop will be opened. The petitioner would further state that personally she had approached the authorities namely, the fourth respondent and submitted representation and the fourth respondent is evasive and not giving any proper reply. If the respondent TASMAL has closed down the existing shop in the very same area, they would not be justified now opening another shop after having stated earlier before this Court that the shop is closed.

6.Therefore, without going into the fact as to whether there is any real move to establish a shop in the village, in the light of the order passed by the Hon'ble Division Bench in W.P.[MD]No.4717 of 2019, dated 20.08.2019, the respondent TASMAL, are restrained from opening any shop in Sunnambur, Keeranur Village, Melur Taluk, Madurai District.

7.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

MR

<https://hcservices.ecourts.gov.in/hcservices/>



To

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+1 CC to M/s.SPL GP (SR-95485[F] dated 01/11/2019)

Order made in
W.P. [MD]No.22905 of 2019
Dated: **30.10.2019**

JMN(15.11.2019) 3P : 8C