

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.12809 of 2020

S.Damodran

... Petitioner

.Vs.

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Commissioner,
Chennai City Police Department,
Vepery, Chennai-600 007.
- 3.The Superintendent of Police,
Kancheepuram District.
(R3 Suo-motu impleaded vide order
dt.17.09.2020 made in WP.12809/2020
by MMSJ & RHJ)

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to take necessary legal measures to consider the representation of the petitioner dated 31.07.2020, take immediate legal action against the illicit liquor trade at the Alagezhan Nagar Nandambakkam panchayat Kundrathur Taluk Chennai- 600 069 and protect life and library of the common people of the village.

For Petitioner .. Mr.R.Prabhavathy
For Respondents .. Mr.R.Vijayakumar,
AGP., for RR1 to 3

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition, seeking a direction to take legal action against the persons, who are involved in the manufacturing and selling of illicit liquor.

2. The learned counsel appearing for the petitioner submitted that the aforesaid activity is going on even now. There are three persons belonging to the same family of one Ranjitham along with Naaliammal and Vijayakumar indulge in such activity.

3. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that it is true that one Ranjitham involved in the sale of illicit liquor and a case has been registered in Crime No.51/2020 on the file of Inspector of Police, Kundrathur Police Station, Chennai, under Section 4(1)(k) of the Tamil Nadu Prohibition Act, 1937 in the month of January 2017. The investigation would reveal that no such liquor is being stored for sale by the aforesaid persons.

4. On a perusal of the records, it appears that no sufficient investigation has been done by making an inspection of the premises of the proposed accused persons. Though we do not find any material to direct the respondents to register the First Information Report, this Court also cannot conduct a roving enquiry in this matter.

5. In such view of the matter, we direct the third respondent to make periodical investigation in the area in which the aforesaid person, who was involved in illicit storage and sale of the liquor by name Ranjitham, residing in No.32, Kakkanji Street, Azhagesan Nagar, Nandambakkam, Kundrathur, Chennai-69, is residing. If any offence is said to be committed by the aforesaid person or her family members, necessary action would be taken. We expect the impleaded respondent viz., Superintendent of Police, Kancheepuram District, to bestow his personal interest in this matter in view of the specific allegations made that the activities of storing and selling illicit liquor is going on even now and there is a threat extended to the petitioner for the complaint made.

6. The writ petition stands disposed of accordingly. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

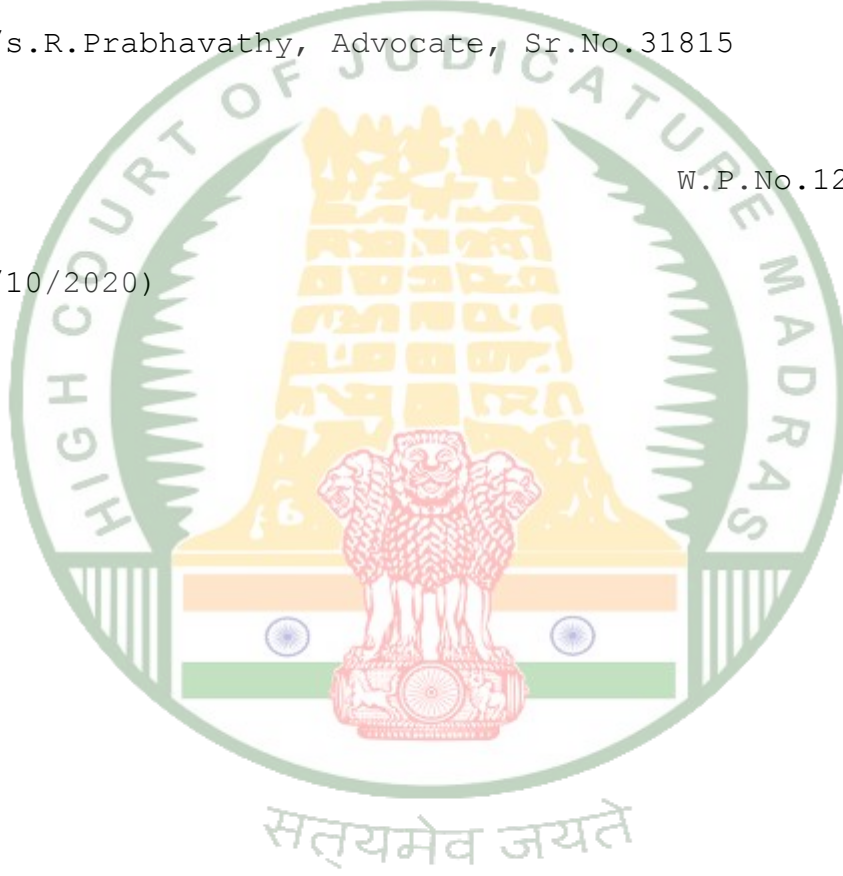
To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Commissioner,
Chennai City Police Department,
Vepery, Chennai-600 007.
3. The Superintendent of Police,
Kancheepuram District.

+1cc to M/s.R.Prabhavathy, Advocate, Sr.No.31815

W.P.No.12809 of 2020

br (co)
rr ii (21/10/2020)



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