



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2020

CORAM

WEB COPY

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P. (MD) No. 8051 of 2020
and W.M.P. (MD) No. 7474 of 2020

C. Murugaiya

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by the District Collector,
Pudukottai District, Pudukottai.

2. The Managing Director,
TASMAC,
Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

3. The Thasildar,
Kulathur Taluk,
Taluk Office,
Pudukottai District.

4. The District Manager,
TASMAC,
SIPCOT,
Pudukottai.

5. The President,
Killikottai Village Panchayat,
Kulathur Taluk,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents 1 to 4 to implement the Resolution in Na.Ka.No.51/2020/A5, dated 04.07.2020 passed in the Peace Committee Meeting held by the third respondent in respect of TASMAC shop No.6638 situated at Killukottai Panchayat, Kulathur Taluk, Pudukottai District.

For Petitioner
For R1, R3 & R5

: Mr.P.M.Vishnuvarthanan
: Mr.M.Rajarajan,
Government Advocate.

For R2 & R4

: Mr.H.Arumugam



ORDER

Heard the learned counsel appearing on either side.

2.The writ petitioner is a resident of Killukottai village. His contention is that a Peace Committee meeting was held and it was resolved that the liquor shop out-let run by TASMAL within the Panchayat should be shifted. This Court indicated that the Peace Committee meeting resolution cannot have any legal consequence as such. Therefore, today when the matter was taken up for hearing, the resolution passed by the local Panchayat is also produced. The resolution of the Panchayat was passed subsequent to the filing of the writ petition.

3.It is the duty of the District Collector, to decide regarding the location of the TASMAL as per the statutory rules. Therefore, the petitioner is directed to make a representation to the District Collector, Pudukkottai. The District Collector will take note of all the relevant materials including the resolution said to have been passed by the jurisdictional Panchayat. The District Collector shall take a decision as to whether the liquor shop can continue to run at the present site or it should be removed.

4.The petitioner's counsel states that the petitioner will give fresh representation within one week from the date of receipt of a copy of this order. The first respondent will take decision, within four weeks, after such receipt. The writ petition is disposed of, on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Pudukkottai District, Pudukkottai.

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



2.The Thasildar,
Kulathur Taluk,
Taluk Office,
Pudukottai District.

3.The President,
Killikottai Village Panchayat,
Kulathur Taluk,
Pudukottai District.

+1 CC to MR.P.M. VISHHNUVARTHANAN, Advocate (SR-18430[F] dated 30/09/2020)

+1 CC to SPL GP (SR-18531[F] dated 30/09/2020)

W.P. (MD)No.8051 of 2020
29.09.2020

VB (12.10.2020) 3P 6C