

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM :

**The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND**

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.16844 of 2020

N.Marimuthu

... petitioner

-VS-

1.The Tamil Nadu State Marketing Corporation Ltd.,
rep. By its Managing Director,
CMDA Tower II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai 8

2.Commissioner of Prohibition and Excise,
Commissionerate of Prohibition and Excise,
Chepauk, Chennai 5

3.District Manager,
Kancheepuram (North) District,
TASMAC Ltd.,
Kancheepuram

4.TASMAC Shop No.4507,
rep. By its Administrator Murugadass
East Coast Road,
Opp to Fish Market,
Kottivakkam, Chennai

5.The District Collector,
Kanchipuram District
(5th respondent suo motu impleaded
vide order dated 02.12.2020)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus directing the respondents 1 and 2 to cancel the license and close down the 4th respondent shop bearing TASMAL Shop No.4507, rep. By its Administrator, at East Coast Road, Opp to Fish market, Kottivakkam, Chennai 41.

For petitioner : Mr.P.Anbarasan

For respondents : Mr.P.Arumugarajan,
Standing Counsel, (TASMAL),
respondents 1 to 4

Ms.R.J.Radhika,
Government Advocate,
for 5th respondent

ORDER

(Made by The Hon'ble Chief Justice)

The grievance of the writ petitioner is that the liquor shop complained of is situated right next to a place of worship.

2. A counter-affidavit has been filed. Such affidavit discloses that the place of worship is located more than 50 meters away from the concerned shop. The minimum distance maintained has to be 50 meters and the distance in this case is about 82 meters. Other grounds

are sought to be suddenly taken on behalf of the petitioner, which cannot be looked into. Since the location of the shop complained of does not violate the existing norms, the writ petition, W.P.No.16844 of 2020, is disposed of without any order as to costs. Consequently, miscellaneous petition, W.M.P.No.20893 of 2020, is closed.

(S.B., C.J.) (S.K.R., J.)
25.01.2021

Index : Yes/No
tar

To

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5.The District Collector, Kancheepuram District

W.P.No.16844 of 2020

The Hon'ble Chief Justice
and
Senthilkumar Ramamoorthy, J.

(tar)



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