



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.1466 of 2020
and W.M.P. (MD) No.1159 of 2020

R.Saminathan

.. Petitioner

Vs

- 1.The District Collector,
Dindigul District.
- 2.The Assistant Commissioner (Excise),
Collector Office Building,
Dindigul.
- 3.The Superintendent of Police,
Dindigul.
- 4.The Inspector of Police (Law and Order),
Ottanchathiram,
Dindigul District.
- 5.The District Manager,
TASMAC,
Mullipady, Trichy Road,
Dindigul.

... Respondents

(R5 impleaded vide order of Court dated
23.04.2021 made in W.M.P. (MD) No.
1789 of 2020 by TSSJ & SAIJ)

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, to direct the respondents herein to forthwith shift the Liquor Shop No.3185 and Shop No.3347 situated opposite to Oddanchathiram Bus Stand to any other place in accordance with law without any further delay.

For Petitioner

: Mr.R.Janakiramulu

For Respondent Nos.1 to 4

: Mr.K.P.Krishnadass
Special Government Pleader

For Respondent No.5

: H.Arumugam



O R D E R

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

This Writ Petition, styled as a Public Interest Litigation, has been filed for the issuance of a writ of Mandamus, to direct the respondents herein to forthwith shift the Liquor Shop Nos.3185 and 3347 situated opposite to Oddanchathiram Bus Stand to any other place in accordance with law without any further delay.

2.Heard Mr.R.Janakiramulu, learned counsel appearing for the petitioner, Mr.K.P.Krishnadass, learned Special Government Pleader appearing for respondent Nos.1 to 4 and Mr.H.Arumugam, learned Standing Counsel for the fifth respondent.

3.According to the petitioner, the IMFL retail shops are located very nearer the school and the school going children and the public are put to lot of hardships.

4.According to the fifth respondent, the representation of the petitioner, dated 16.12.2019, does not specifically says that there is any violation of distance rule. That apart, it is not clear as to whether the shops are located inside the market or they are facing main road, because the rough sketch did not say so. Therefore, the representation given by the petitioner does not clearly disclose the distance between the shops and the schools. Hence, we are not inclined to pass any positive order.

5.Accordingly, the Writ Petition is disposed of, directing the petitioner to submit a fresh representation to the first respondent containing all the particulars within a period of two weeks from the date of receipt of a copy of this order and the same shall be considered by the first respondent on merits and in accordance with law within a period of four weeks therefrom. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Dindigul District.
- 2.The Assistant Commissioner (Excise),
Collector Office Building,
Dindigul.
- 3.The Superintendent of Police,
Dindigul.
- 4.The Inspector of Police (Law and Order),
Ottanchathiram,
Dindigul District.

+1 CC to M/s.SPL GP (SR-17543[F] dated 26/04/2021)

+1 CC to M/s.R.JANAKIRAMULU, Advocate (SR-17506[F] dated 26/04/2021)

W.P. (MD) No.1466 of 2020
23.04.2021

RK(27.05.2021) 3P 7C