



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.1982 of 2020 and

WMP (MD)1651 of 2020

(Through Video Conferencing)

Isakimuthu @ Raja

: Petitioner

Vs.

- 1.The District Collector
Tirunelveli District.
- 2.The Superintendent of Police,
Tirunelveli District.
- 3.The Managing Director,
The TASMALC Ltd.
CMDA Tower Gandhi Irwin Bridge,
Egmore, Chennai 600 008.
- 4.The Commissioner/Executive Officer,
Prohibition and Excise Department
District Collector Office,
Kokkirakulam
Tirunelveli District
- 5.The District Manager,
The TASMALC Ltd.,
Munneerpallam
Melapalayam
Tirunelveli District.
- 6.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
- 7.Thirumalai Rajkumar

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the 1st respondent to forbear the 5th respondent opening TASMALC shop and Bar in the unapproved residential building of the 7th respondent in S.No.1243/11 situated at Kilakulam, Karuppasamy Kovil South Street at Veeravanallur Village, Tirunelveli District.

For Petitioner : Mr.J.Vijayaraja

For Respondents : Mr.K.P.Krishnadoss for R1, 2, 4, & 6
Special Government Pleader.
Mr.B.Jameelarasu standing counsel for
R3&R5
Mr.SRA.Ramachandran for R7



ORDER

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

The petitioner seeks a writ of mandamus a direction to the 1st respondent to forbear the respondent No.5 from opening the TASMAL shop.

2.On perusal of the proceedings of the respondent No.1, we could see that the shop has been running for more than a period of one year without any difficulty and there is no prohibition under the Rules, as it is situated beyond the prohibited distance.

3.In such view of the matter, we do not find any reason to allow this writ petition, especially, when a decision is taken after conducting enquiry and taking note of the relevant materials by the respondent No.1 on 07.01.2020. Accordingly, the writ petition stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

RR

To

1.The District Collector
Tirunelveli District.

2.The Superintendent of Police,
Tirunelveli District.

3.The Managing Director,
The TASMAL Ltd.
CMDA Tower Gandhi Irwin Bridge,
Egmore, Chennai 600 008.

4.The Commissioner/Executive Officer,
Prohibition and Excise Department
District Collector Office,

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



Kokkirakulam
Tirunelveli District

5.The District Manager,
The TASMAL Ltd.,
Munneerpallam
Melapalayam
Tirunelveli District.

6.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-15012[F] dated 01/04/2021)

Order made in
W.P. (MD)No.1982 of 2020
Dated: 31.03.2021

GS (21.04.2021) 3P 8C