



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.2547 of 2020
and W.M.P. (MD) No.2200 of 2020
(Through Video Conferencing)**

C.Velappan : Petitioner

Vs.

1.The District Collector
Collectorate
Kanyakumari District.

2.The District Manager,
Tamilnadu State Marketing Corporation Limited (TASMAC)
Kanyakumari District.

3.The Superintendent of Police,
O/o. Superintendent of Police
Kanyakumari District.

4.The Special Tahsildar,
Tamilnadu State Marketing Corporation Limited (TASMAC)
Velavankodu
Kanyakumari District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus restraining the respondents 1, 2 and 4 to open proposed liquor shop allotted in Kolankodu Village, Vilavankodu Taluk, Kanyakumari District in violation of mandatory Rule 8 of Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

For Petitioner : Mr.K.Neelamegam
For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader for R1,R3 & R4

Mr.B.Jameel Arasu, for R2

ORDER

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

This petitioner, who is residing 60 kms. away from the proposed liquor shop, which is in fact opened, seeks appropriate action not



to locate it on the ground that it is within the prohibited distance.

2.The learned counsel for the respondent TASMAL submitted that there is no specific averments made with respect to the alleged violation of distance rules.

3.We are also at a loss to understand as to how the petitioner has come forward to file this writ petition hailing from a village, which is 60 kms. away. Hence, we do not find any merit in this petition. Accordingly, this writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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
Collectorate
Kanyakumari District.

2.The Superintendent of Police,
O/o. Superintendent of Police
Kanyakumari District.

3.The Special Tahsildar,
Tamilnadu State Marketing Corporation Limited (TASMAL)
Velavankodu
Kanyakumari District.

+1 CC to M/s.GP (SR-2365[F] dated 29/01/2021)

Order made in
W.P. (MD)No.2547 of 2020
Dated: 27.01.2021

KMV(CO)

TR(09.02.2021) 2P 5C