



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2021

CORAM:

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

W.P. (MD)No.5597 of 2021

R.Subramanian : Petitioner

Vs.

1.The District Collector,
District Collectorate Premises,
Sivagangai.

2.The District Manager,
Tamil Nadu State Marketing Corporation,
Narikuravar Colony,
Thondi Road,
Palamalai Nagar, Soorakulam Village,
Sivagangai - 630 606.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to close the shop No.7736 located in the Madurai - Rameshwaram Highway No.49, Melkarai, Manamaduuri Town and Taluk, Sivagangai District, forthwith, by considering the petitioner's representation dated 24.02.2021 and in the light of Rule 4 & 8 of Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003.

For Petitioner : Mr.C.M.Arumugam

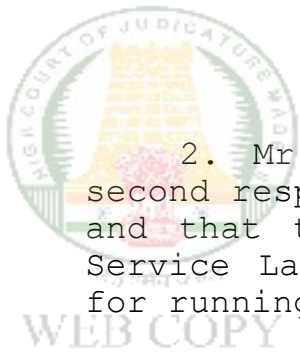
For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader
for R.1

Mr.H.Arumugam,
Standing Counsel for R.2

ORDER

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

The petitioner has come forward to file this writ petition seeking a direction to close the TASMALC shop on two grounds, namely, the bar is being run without any license and that the shop is situated within the prohibited distance.



2. Mr.H.Arumugam, learned Standing Counsel appearing for the second respondent submitted that there is no distance rule violation and that the shop is located not in a Highway, but only in the Service Lane. He further submitted that no license has been given for running the bar, as on now.

3. The learned Counsel appearing for the petitioner drew the attention of this Court to the photographs, which indicates the bikes having stationed and on the basis, it is submitted that even without getting license, illegal bar is being run.

4. On the contention that the shop is established contrary to distance rule, we do not find any reason to accept the same. In the absence of any contra material, we cannot conduct a roving enquiry in this regard. However, we make it clear that the respondents should see to it that no illegal bar is being run in the aforesaid place, before getting license.

5. In fine, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gk

To

The District Collector,
District Collectorate Premises,
Sivagangai.

+1 CC to SPL GP (SR-11146[F] dated 15/03/2021)

+1 CC to MR.H.ARUMUGAM, Advocate (SR-11194[F] dated 15/03/2021)

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