



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. THARANI

WP(MD)No.6264 of 2021

Ramesh.R

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Kanyakumari District,
Nagercoil 629 001.

2.The Superintendent of Police,
The Superintendent of Police Office,
Kanyakumari District,
Nagercoil 629 001.

3.The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the second respondent to enquire and take action on the third respondent on the basis of the petitioner's representation dated 22.02.2021.

For Petitioner
For Respondents

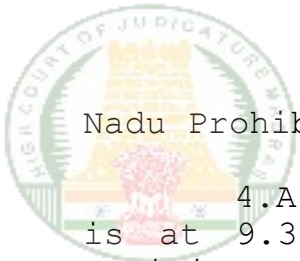
:Mr.B.Char Murugan
:Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

By consent, this Writ Petition is taken for final hearing.

2. On the side of the petitioner, it is stated that the petitioner is running a Recreation Club and the petitioner was having licence to distribute liquor for the members, but, the third respondent illegally trespassed into the premises of the Club and seized the liquor bottles and cash and prayed for a direction to take action against the third respondent.

3.On the side of the respondents, it is stated that instead of distributing liquor among the members of the Recreation Club, the petitioner sale the liquor to outsiders, violating the licence. As per the licence, the petitioner can distribute liquor only after 11.00 a.m, but, the third respondent seized the liquor bottles at 9.30 a.m and the liquor bottles are more than the permitted quantity and hence, a case is registered against the petitioner, in Crime No.76 of 2021, under Sections 4(1)(aaa), 4(1)(i) and 24 of Tamil



Nadu Prohibition Act.

4.A copy of the F.I.R reveals that the time of the occurrence is at 9.30 am., and since the F.I.R. has been registered, the petitioner is at liberty to contest the case in accordance with law.

WEB COPY

5.With the above observation, this Writ Petition is closed.
No costs.

Sd/-

Assistant Registrar (W)

// 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.

To

1.The District Collector,
District Collectorate,
Kanyakumari District,
Nagercoil 629 001.

2.The Superintendent of Police,
The Superintendent of Police Office,
Kanyakumari District,
Nagercoil 629 001.

3.The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanyakumari District.

+1 CC to M/s.B.CHAR MURUGAN, Advocate (SR-12680[F] dated 22/03/2021)

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DKS (CO)
KB(07.04.2021) 2P 5C