



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.03.2021**

CORAM:

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

W.P. (MD)No.12476 of 2020
(Through Video Conferencing)

M.Ganeshkamu

: Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Manager (TASMAC)
Tamil Nadu State Marketing Corporation Ltd.,
No.29-34 Sidco Industrial Estate,
Soolakkarai
Virudhunagar District.

: Respondents

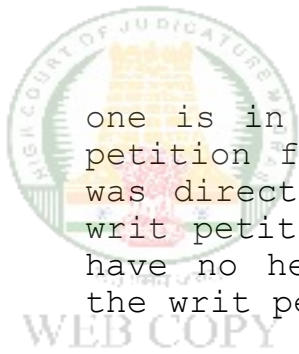
PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the 1st respondent herein to issue necessary direction to the 2nd respondent to shift outlet bearing wine shop NO.11870 put up at Door No.27, Vattaram Street, Sundarapandiam Town Panchayat, Watrap Taluk, Virudhunagar District to any other place by following Rule 8(1) of the Tamil Nadu Liquor Retail Vending (in shops and Bars) Rules, 2003 based on the petitioner's representation dated 28.08.2020 made to the respondents.

For Petitioner : Mr.K.K.Kannan
For Respondents : Mr.H.Arumugam for R2
Mr.K.P.Krishnadoss for R1
Special Government Pleader

ORDER

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

This is yet another writ petition filed by a person seeking a direction to close the TASMAC shop on the ground of alleged violation. We do not find any such violation available, after perusing the counter affidavit filed by the respondent No.2. Secondly, in the very same place, a shop has been running from the year 1983 and thereafter, by the TASMAC in the year 2003. The only difference is it has been shifted to next building, as the earlier



one is in a dilapidated condition. Further more, an earlier writ petition filed for the location of the shop, in which, an enquiry was directed to be held, which accordingly, done. Now, the present writ petition has been filed raising the very same plea. Thus, we have no hesitation in dismissing the writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-III)

// 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,
Virudhunagar District,
Virudhunagar.

2.The Manager (TASMAC)
Tamil Nadu State Marketing Corporation Ltd.,
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Soolakkarai
Virudhunagar District.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-11372[F] dated 16/03/2021)

+1 CC to M/s.SPL GP (SR-11531[F] dated 16/03/2021)

Order made in
W.P. (MD)No.12476 of 2020
Dated: 15.03.2021

MA(CO)
TR(30.03.2021) 2P 5C