



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.18046 of 2021

and W.M.P.(MD) No.14909 of 2021

WEB COPY

V.Alagar

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Madurai District.
- 2.The Assistant Commissioner of Excise,
Office of the District Collectorate,
Madurai District.
- 3.The District Manager,
Office of the District Manager,
Tamilnadu State Marketing Corporation Limited,
Madurai District.
- 4.The Commissioner of Police,
Madurai City, Madurai.
- 5.The Secretary,
Moon Tower Recreation Club,
B.B.Kulam, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the respondents 1 to 4 from in any way shifting the Moon Tower Recreation Club situated at B.B.Kulam/5th respondent to sell the Indian Made Foreign Liquor to the property situated at Door No.107, Pethaniapuram Main Road, Madurai City by considering the petitioner's representation dated 27.09.2021.

For Petitioner : Mr.C.Gangai Amaran

For Respondent Nos.1, : Mr.M.Ramesh
2 & 4 Government Advocate

For Respondent No.3 : Mr.H.Arumugam
Standing Counsel

For Respondent No.5 : Mr.J.Jeyakumaran



O R D E R

(Order of the Court was made by PUSHPA SATHYANARAYANA, J.)

This Writ Petition has been filed by the petitioner to forbear the respondents 1 to 4 from in any way shifting the Moon Tower Recreation Club situated at B.B.Kulam/5th respondent to sell the Indian Made Foreign Liquor to the property situated at Door No.107, Pethaniapuram Main Road, Madurai City by considering the petitioner's representation dated 27.09.2021.

2.Heard Mr.C.Gangai Amaran, learned counsel for the petitioner, Mr.M.Ramesh, learned Government Advocate, appearing for respondent Nos.1, 2 & 4, Mr.H.Arumugam, learned Standing Counsel, appearing for the third respondent and Mr.J.Jeyakumaran, learned counsel for the fifth respondent.

3.By consent of both sides, this Writ Petition itself is taken up for final disposal.

4.Mr.M.Ramesh, learned Government Advocate, appearing for the respondent Nos.1, 2 and 4, on instructions submitted that the petitioner is not cooperating for the enquiry.

5.In view of the above submission, this Court without going into the merits of the claim made by the petitioner in the Writ Petition and the representation, directs the second respondent to fix the date of enquiry and intimate the petitioner as well as the fifth respondent about the enquiry and after giving opportunity of personal hearing to them pass appropriate orders on the representation of the petitioner dated 27.09.2021, on merits and in accordance with law. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. The petitioner and the fifth respondent are directed to extend their fullest co-operation for the enquiry. If they are not present for enquiry, let the matter be decided based on the materials available.

6.The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

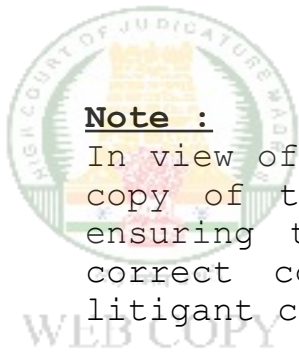
Sd/-

Assistant Registrar (CS-I)

// 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,
Office of the District Collector,
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- 2.The Assistant Commissioner of Excise,
Office of the District Collectorate,
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- 3.The District Manager,
Office of the District Manager,
Tamilnadu State Marketing Corporation Limited,
Madurai District.
- 4.The Commissioner of Police,
Madurai City, Madurai.

+1 CC to M/s.SPL GP (SR-35858[F] dated 25/11/2021)

W.P(MD)No.18046 of 2021
24.11.2021

RK(06/12/2021) 3P 6C