



WEB COPY



W.P.No. 2389 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2022

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No. 2389 of 2020 and
WMP.No.2790 of 2020

- 1.C.Senthilvel
- 2.S.Palaniappan
- 3.A. Mohandoss
- 4.Mahaveer Chand Jain
- 5.T.Sivaraman
6. M.Mohamed Jameel

...Petitioners

Vs.

- 1.The District Collector
Nagapattinam District
Collectorate, Nagapattinam.
- 2.The Managing Director
TASMAC Limited,
Thalamuthu Natarajan Building,
4th Floor, 2nd Block,
Egmore, Chennai - 600 008.
- 3.The Senior Regional Manager
TASMAC Limited,
Ram Nagar, Tiruchirappalli.
- 4.The District Manager
TASMAC Limited,
Nagapattinam District,
Thirubhuvanam, Thanjavur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus directing the respondents to close the liquor retail vending shop established by the Respondents at Door No. 137 Mahadhana ,



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Street Mayiladuthurai Nagapattinaam with immediate effect.

For Petitioner : Mr.A.Muthukumar
For Respondents : Mr.K.Surendran [R1]
Additional Government Pleader
C.Ramesh [R2 to R4]
Standing Counsel

ORDER

The petitioner, who are six in number, claim to be residents of Nagapattinam District. They seek a mandamus directing the respondents, being the District Collector, Nagapattinam, the Managing Director, the Senior Regional Manager and the District Manager, TASMACH to close down liquor retail vending shop at Door No. 137, MahadhanaStreet , Mayiladuthurai, NagapattinaamDistrict (shop in question) with immediate effect.

2. The petitioners rely on proceedings in Na.Ka.No.356/17/A6 dated 31.12.2019 wherein the respondents accede to the request of the petitioner in representations made before them that TASMACH Shop bearing No.5646 which is the shop in question will be shifted. Despite the elapse of three years, admittedly, nothing has been done.

3. Mr.C.Ramesh, learned Standing Counsel for TASMACH, upon instructions, files a memo to following effect:

It is submitted that TASMACH shop in Shop No.5646 at Mahadhana Street, Myladuthurai Municipality, Nagapattinam District, the petitioners have approached this Hon'ble Court by



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way of writ petition seeking the relief to close the liquor retail vending shop established by the respondents at Door No.137, Mahadhana Street, Myladuthurai, Nagapattinam District.

It is submitted that today the matter has been listed before this Hon'ble High Court, as per the direction of this Hon'ble Court I have received telephonic instructions from the 4th respondent. The 4th respondent (ie) District Manager, TASMAL Ltd. have given instructions and undertaking stating that the respondents are taking steps to shift and relocate the above TASMAL shop without any hindrance to the public.

It is submitted that that the petitioners have taken steps and issued proceedings in Na.Ka.No.356/2017/A6 dated 31.12.2019 the 4th respondent in its proceedings he is taking serious steps to relocate the above said shop in Shop No.5646.

Therefore it is humbly requested that this Hon'ble Court may be pleased to accept the above contentions and grant six months time to take all necessary steps to relocate the shop to establish in some other place and thus render justice.

4. The undertaking in the memo to the effect that the shop would be closed in the present location within six months satisfies the petitioner and is hence recorded. It is expected that the respondents will adhere to the undertaking as aforesaid. With this, the writ petition is closed as is the connected miscellaneous petition. No costs.

14.10.2022

Index : Yes/No
Speaking Order/Non speaking Order
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DR.ANITA SUMANTH,J.
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