



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2022

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.NO.13391 OF 2022

S.C.Arumugam

... Petitioner

-vs-

1. The Additional Secretary to Government,
Prohibition and Excise Department,
Fort St. George,
Chennai - 9.
2. The District Collector,
Erode District, Erode.
3. The District Manager,
TASMAC, Erode District,
Erode.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus directing the respondents to shift the TASMAC Shop No.3481 from existing place i.e., situated at Kannaian - Jayagopal Street, 27th Ward, Erode to elsewhere.

For Petitioner	:	Mr.C.Prakasam
For Respondents	:	Mr.Ravi Kumar, Special Government Pleader, For the respondents 1 and 2.
	:	Mr.K.Sathish kumar, Standing Counsel for TASMAC, For the third respondent.



ORDER

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

WEB COPY The relief sought for in the present writ petition is to direct the respondents to shift the TASMAL Shop No.3481 from the existing place situated at Kannian-Jayagopal Street, 27th Ward, Erode to elsewhere.

2. The petitioner is a resident of Karungalpalayam, Erode. The grievance of the writ petitioner is that the respondents have allowed a TASMAL Shop to run in a residential area, which is causing nuisance and inconvenience to the people who all are residing in the locality. In this regard, the public residing in that locality have submitted a representation dated 03.04.2022, to all the respondents. However, the second respondent/District Collector, Erode and the other respondents have not initiated any action so far and thus, the petitioner is constrained to move the present writ petition.

3. Mr.S.Ravi Kumar, learned Special Government Pleader takes notice on behalf of the first and second respondents. Mr.K.Sathish Kumar, learned Standing Counsel takes notice on behalf of the third respondent.

4. The learned Special Government Pleader for the first and second respondents and the learned Standing Counsel for the third respondent have made a submission that whenever such objections are received from the public at large, the same will be considered by the second respondent/District Collector and appropriate action will be taken by him. Therefore, the District Collector is directed to look into the complaint and take appropriate decision in the matter.

5. It is also submitted that an appellate remedy is also contemplated under Rule 9A of The Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules 2003, before the Commissioner.

6. In such view of the matter, the second respondent/District Collector, Erode is directed to look into the nature of objections raised by the public at large residing in the locality and take appropriate decision as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.



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7. This writ petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

rgm/tar

To

1. The Additional Secretary to Government,
Prohibition and Excise Department,
Fort St. George,
Chennai - 9.
2. The District Collector,
Erode District,
Erode.
3. The District Manager,
TASMAC, Erode District,
Erode.

+1cc to the Government Pleader, High Court, Madras, S.R.No.31785

W.P.No.13391 of 2022

AK-II(CO)
RLP(01/06/2022)