



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2022

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD) No.1734 of 2022

and

W.M.P. (MD) No.1534 of 2022

Suresh

... Petitioner

Vs.

- 1.The Managing Director,
TASMAC Ltd.,
4th Floor, C.M.D.A. Tower - II,
Gandhi Irwin Bridge Road,
Egmore, Chennai.
- 2.The District Collector,
Pudukottai District,
Pudukottai.
- 3.The District Manager,
TASMAC Ltd.,
Pudukottai District,
Pudukottai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the respondents from opening the TASMAC Shop No.6501 at Survey No.21/27, Town Ward No.16, New Ward No.19, Kattumavadi Mukkam, Aranthangi, Pudukottai District, by considering the petitioner's representation dated 24.01.2022.

For Petitioner : Mr.T.Lenin Kumar

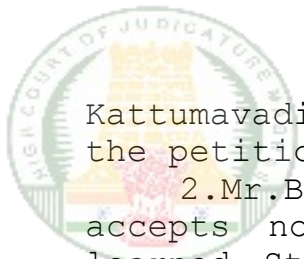
For Respondent Nos.1 : Mr.H.Arumugam
& 3 Standing Counsel

For Respondent No.2 : Mr.B.Saravanan
Additional Government Pleader

O R D E R

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

The Writ Petition is filed seeking for issuance of a Writ of Mandamus, forbearing the respondents from opening the TASMAC Shop No.6501 at Survey No.21/27, Town Ward No.16, New Ward No.19,



Kattumavadi Mukkam, Aranthangi, Pudukottai District by considering the petitioner's representation, dated 24.01.2022.

2.Mr.B.Saravanan, learned Additional Government Pleader, accepts notice on behalf of respondent No.2 and Mr.H.Arumugam, learned Standing Counsel, accepts notice on behalf of respondent Nos.1 and 3.

3.The petitioner has made several allegations including that the proposed TASMAL Shop No.6501 is located in breach of the conditions of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003.

4.Mr.H.Arumugam, learned Standing Counsel, appearing for respondent No.1 and 3 on instructions, submitted that it is not a new shop, but the existing shop was shifted to a new premises and the Writ Petition has been filed at the instance of the erstwhile owner of the premises, which is in a dilapidated condition. Besides that, it is stated that the second respondent has already granted approval to the said shop on 12.01.2022, but the representation was made only on 24.01.2022.

5.Since the approval for the shop has already been granted, the Writ Petition has become infructuous. In view of the same, the Writ Petition is dismissed as infructuous. It is open to the petitioner to challenge the approval granted by the District Collector, if he is so advised. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj

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,
Pudukottai District,
Pudukottai.

+1 CC to M/s.SPL.GP (SR-3668[F] dated 02/02/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-3888[F] dated 03/02/2022)

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