



WEB COPY

W.P(MD) No.5334 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.5334 of 2022

and

W.M.P. (MD) No.4344 of 2022

Packia Prakassh Raaj

... Petitioner(Party in Person)

/vs./

1.The District Collector,
Sivagangai District,
Sivagangai 630 562.

2.The District Manager,
TASMAC Limited,
Thondi Road,
Sivagangai - 630 561.

3.The Senior Regional Manager,
TASMAC Limited,
Plot No.100, Anna Nagar,
Madurai - 625 020.

4.The Managing Director,
TASMAC Limited,
CMDA Tower II, 4th Floor,
8, Gandhi Irwin Bridge Road,
Egmore, Chennai 600 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the above said respondents to consider the representation dated 21.02.2022 to relocate or shifted to any other place the above said TASMAC Shop No.7518 from the Meena Mess Hotel Building premises situated at 16, Meena Mess Hotel Complex, Kottiyur Road, Karaikudi-630 002, Sivagangai District.

For Petitioner : Mr.Packia Prakassh Raaj
Party-in-person

For R1 : Mr.J.K.Jayaseelan
Government Advocate

For R2 to R4 : Mr.H.Arumugam



ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents to consider the representation of the petitioner dated 21.02.2022 to relocate or shift the TASMAC Shop No.7518 from Meen Mess Hotel premises situated at 16, Meena Mess Hotel Complex, Kottiyur Road, Karaikudi-630 002, Sivagangai District to any other place.

2.Mr.J.K.Jayaseelan, learned Government Advocate takes notice for the 1st respondent and Mr.H.Arumugam, learned counsel takes notice for the respondents 2 to 4.

3.*Prima facie* it appears that the location of the aforesaid TASMAC shop along with Bar appears to be in contrary to the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003. The petitioner has given a representation dated 21.02.2022 to the respondents to relocate the aforesaid TASMAC shop and the Bar as it is causing nuisance to the petitioner as the petitioner is residing and having a law office near the aforesaid shop.

4.I find sufficient merits in the submission of the party-in-person. I therefore direct the respondents herein to consider the petitioner's representation dated 21.02.2022 and take positive action for relocating the aforesaid TASMAC shop within a period of 30 days from the date of receipt of a copy of this order. As far as the Bar is concerned, there is an embargo as per the order of this Court in the batch of writ petitions in W.P.No.27352 of 2021 etc batch., **(S.Jagannathan Vs. The Managing Director)**, vide order dated 31.01.2022.

5.The writ petition stands disposed of, in terms of the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mm

To

The District Collector,
Sivagangai District,
Sivagangai 630 562.

+1 CC to M/s.PACKIA PRAKASSH RAAJ, Advocate (SR-14591[F] dated 25/03/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-14983[F] dated 28/03/2022)

+1 CC to M/s.SPL GP (SR-14828[F] dated 28/03/2022)

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MGJ(05.04.2022) 2P 5C

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