



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.5435 of 2022

and

W.M.P. (MD) No.4411 of 2022

WEB COPY

Maria Thangam

... Petitioner

/vs./

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The District Manager,
Tamil Nadu State Marketing Corporation,
Shenbagaraman Pudur,
Kanyakumari District.

3.Patric Rajasingh

... Respondents

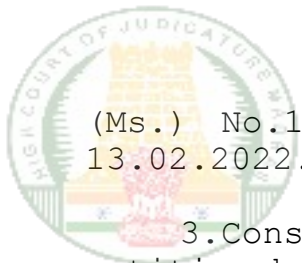
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 not to grant any sanction or order to run a TASMAL Shop No.4756 attached with bar in the shop belongs to the 3rd respondent situated in the 12 feet pathway in Rajakkamangalam Road at Chettikulam Junction, Nagercoil.

For Petitioner	: Mr.S.Ramesh
For R1	: Mr.K.S.Selva Ganesan Additional Government Pleader
For R2	: Mr.B.Jameel Arasu
For R3	: Mr.S.Chellapandian

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents 1 and 2 to not to grant any sanction or order to run a TASMAL Shop No.4756 attached with a Bar belongs to the 3rd respondent, situated in the 12 feet pathway in Rajakkamangalam Road at Chettikulam Junction, Nagercoil.

2.This writ petition was listed for admission on 28.03.2022 and *status quo* was ordered. Today when the case was taken up for hearing, the learned Additional Government Pleader for the official respondent submits that a decision was taken by the 1st respondent/the District Collector as early as 28.10.2021. It is submitted that any decision taken by the 1st respondent can be subjected to the appeal under Rule 9A of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003 as amended by G.O.



(Ms.) No.17, Home, Prohibition and Excise (VI) Department, dated 13.02.2022.

3.Considering the same, I am inclined to dispose of this writ petition by directing the petitioner to workout her remedy under the provisions of the aforesaid Rules.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mm

To

The District Collector,
Kanyakumari District,
Kanyakumari.

+1 CC to M/s.V. RAGHAVACHARI, Advocate (SR-18778[F] dated 13/04/2022)

+1 CC to M/s.S. CHELLAPANDIAN, Advocate (SR-19048[F] dated 18/04/2022)

+1 CC to M/s.SPL.GP. (SR-19174[F] dated 18/04/2022)

W.P. (MD) No.5435 of 2022
13.04.2022

MGJ(02.05.2022) 2P 5C