



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7577 of 2022

W.M.P.(MD) Nos.5744 and 5745 of 2022

1.V.S.Giri

2.A.Kanagasabapathi

3.R.Muralidharan

4.R.Ganapathy

5.M.S.Nagaraj

.. Petitioners

Vs

1.The Managing Director,
TASMAC,
CMDA Tower 2,
4th Floor,
Gandhi Irwin Bridge Road,
Egmore,
Chennai - 600 008.

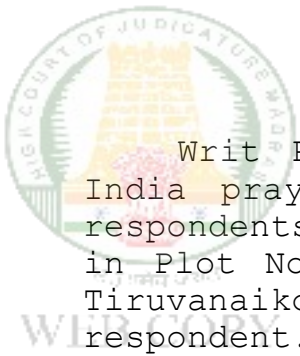
2.The District Collector,
Collectorate,
Tiruchirapalli District - 620 001.

2.The Senior Regional Manager,
District Collector Office,
Old Building,
1st Floor, DRO Colony, Tiruchirapalli - 620 001.

4.The District Manager,
TASMAC,
No.72, C.LP.3,
SIDCO Estate,
BHEL Nagar,
Thuvakudi,
Tiruchirapalli - 620 015.

5.Latha Ravichandran

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 not to set up TASMAL bar in the property situated in Plot No.23 comprised in T.S.No.15/7, Andal Garden, Trunk Road, Tiruvanaikovil, Srirangam Taluk, Tiruchirapalli belonging to the 5th respondent.

For Petitioners : Mr.Shangar Murali
For Respondents : Mr.S.Shaji Bino
Special Government Pleader
For R1 and R2

ORDER

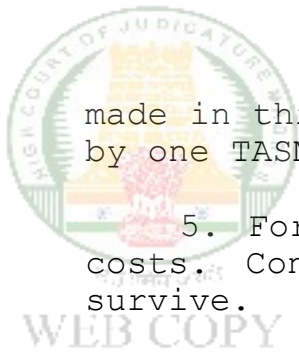
(Made by PARESH UPADHYAY, J.)

1. This petition is styled as public interest litigation.
2. The prayer clause of the writ petition reads as under:-
"Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 not to set up TASMAL bar in the property situated in Plot No.23 comprised in T.S.No.15/7, Andal Garden, Trunk Road, Tiruvanaikovil, Srirangam Taluk, Tiruchirapalli belonging to the 5th respondent."

3. Para : 4 of the petition reads as under:-

"I respectfully submit that we are the people residing in Andal Garden and Shree Nagar residential area for nearly 20 years with dignity, harmony and peace. Our residential area is situated besides the Trunk Road, Tiruvanaikovil and there already exists an active TASMAL Bar. The TASMAL shop sees a regular influx of customers at all hours. The drunkards quarrel within themselves and also with the public thereby creating public nuisance. They also litter the areas nearby with the alcohol glass bottles, plastic cups and bottles, etc. In order to be cautious and to keep an eye on the drunkards creating nuisance we have installed Surveillance Camera (CCTV) throughout the pathway. The Government Officers, Doctors, Teachers and other higher officials are also residing in our area."

4. On being asked, what remedy the petitioner intends to resort to for the difficulties projected in para:4, learned advocate for the petitioner states that needful will be done. We find that, though no relief is prayed against the TASMAL Bar which is already functioning in the nearby area, serious allegations are made against that person and such a petition therefore can not be entertained. We further find that, if the contentions raised in para:4 are right, ~~which is not a legal entity, seeking prayer as~~



made in this petition would also give colour of sponsored litigation by one TASMAL Bar which is already operating there.

5. For the above reasons, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions would not survive.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

pkn

To

1.The District Collector,
Collectorate,
Tiruchirapalli District - 620 001.

+1 CC to M/s.K.S. SANKAR MURALI, Advocate (SR-20160[F] dated 21/04/2022)

+1 CC to M/s.SPL.GP. (SR-20490[F] dated 22/04/2022)

W.P(MD)No.7577 of 2022
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MGJ(04.05.2022) 3P 4C