



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.9295 of 2022

Arokiyaraj

... Petitioner

-vs-

- 1.The Managing Director,
TASMAC,
Office of the Director of TASMAC,
CMDA Tower, Egmore, Chennai.
- 2.The District Collector,
Office of the District Collector,
Thanjavur District.
- 3.The District Manager,
TASMAC,
Office of TASMAC District Manager,
Nanjikottai Road, Thanjavur District.
- 4.The Sub Collector,
Office of District Sub Collector,
Kumbakonam, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents not to open the TASMAC shop in S.No.86/1A, 86/1B which is a agriculture land situated at S.Pudur, Thiruvidaimaruthur Taluk, Thanjavur District and on the basis of the petitioner's representation dated 31.03.2022.

For Petitioner : Mr.B.Vishwanathan
For Respondents : Mr.D.Sadiq Raja,
Addl. Government Pleader
for R2 & R4
Mr.H.Arumugam for R1 and R3

O R D E R
(Made by P.N.PRAKASH, J.)

Alleging that TASMAC shop No.8152, which is now located in
Survey No.62/2, S.Pudur Village, Thiruvidaimaruthur, Thanjavur
<https://hseervices.courts.gov.in/hseervices/>



District, is being shifted to Survey Nos.86/1A and 86/1B which are agriculture lands, the present public interest litigation has been filed for a direction to the respondents not to shift the TASMAC shop to the said place.

2. On instructions, Mr.H.Arumugam, learned Standing Counsel appearing for TASMAC, submitted that the land in Survey Nos.86/1A and 86/1B are barren lands for the last ten years.

3. Be that as it may, Rules 9 and 9A of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003 states that if a shop is being shifted from one place to another, the objections raised by any person should be disposed of against which, Rule 9A provides for an appeal.

4. In view of the above, it is open to the petitioner to approach the authorities in terms of Rules 9 and 9A of the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003. Accordingly, this writ petition is closed and the interim order dated 05.05.2022 stands vacated. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

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Kumbakonam, Thanjavur District.



+1 CC to M/s.SPL.GP (SR-24580[F] dated 08/06/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-24666[F] dated 08/06/2022)

W.P. (MD) No.9295 of 2022
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