



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD) No.9806 of 2022

and

W.M.P(MD) No.7023 of 2022

Ambigapathy

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Managing Director,
TASMAC Limited,
Thalamuthu Natarajan Building,
4th Floor, 2nd Block,
Egmore,
Chennai.

3.The Southern Regional Manager,
TASMAC Limited,
Devaneyapavaneyar Building,
Annasalai,
Chennai.

4.The District Manager,
TASMAC Limited,
Pudukkottai.

5.The Inspector of Police,
Manamelkudi Police Station,
Manamelkudi Taluk,
Pudukkottai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents to open the liquor retail vending shop in Survey No.9/12A1E of Manamelkudi Village and Taluk, Pudukkottai District by considering the petitioner's representation, dated 04.05.2022.

For Petitioner : Mr.A.Arul Jenifer

For RR 1 & 5 : Mr.N.Muthu Viyayan

Special Government Pleader

For RR 2 to 4 : Mr.H.Arumugam



ORDER

[Order of the Court was made by **D.KRISHNAKUMAR, J.**]

Heard Mr.N.Muthu Vijayan, learned Special Government Pleader, who takes notice for the respondents 1 and 5 and Mr.H.Arumugam, learned counsel, who takes notice for the respondents 2 to 4.

2.By consent of both parties, the Writ Petition itself is taken up for final disposal.

3.Earlier one Govindaraj filed a Writ Petition in W.P(MD)No.19441 of 2017, wherein the Division Bench of this Court, by order, dated 12.03.2018, disposed of the Writ Petition. Pursuant to the said order, the fourth respondent has closed the retail vending shop bearing Shop No.6706 in Manamelkudi Village. Now, the fourth respondent has initiated steps to open the liquor retail vending shop in Survey No.9/12A1E of Manamelkudi Village, which is also in the same locality. Therefore, the petitioner made an objection before the respondents. Since the same has not been considered, the petitioner is before this Court.

4.Mr.H.Arumugam, learned counsel appearing for the respondents 2 to 4 would submit that the said objection of the petitioner will be considered by the District Collector and a decision will be taken.

5.Recording the aforesaid statement, we are inclined to direct the first respondent, namely the District Collector, Pudukkottai District to consider the petitioner's objection, dated 04.05.2022 and pass orders within a period of six weeks from the date of receipt of a copy of this order. Till such time, the fourth respondent is directed not to open the TASMAL retail shop in the aforesaid place as alleged by the petitioner.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PS/Myr



To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The District Manager,
TASMAC Limited,
Pudukkottai.

3.The Inspector of Police,
Manmelkudi Police Station,
Manamelkudi Taluk,
Pudukkottai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.H. ARUMUGAM, Advocate (SR-23703[F] dated 12/05/2022)

+1 CC to M/s.SPL.GP (SR-23710[F] dated 13/05/2022)

W.P. (MD) No. 9806 of 2022
11.05.2022

SS/17.05.2022 : 3P/7C