



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.12250 of 2022

Thangapandi

...Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC)
Dindigul District,
Dindigul.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 20.04.2022 in the light of under Rule 9 of Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003 and direct the respondents not to open the TASMAC Liquor Vending Shop No.3341 situated at No.396/1A1 (Patta No.2676), Agircultural land, Pillayar Natham Village, Sirunaickkanpatti, Nilakkottai Taluk, Dindigul District.

For Petitioner	: Mr.K.Guhan
For R1	: Mr.D.Sadiq Raja Additional Government Pleader
For R2	: Mr.H.Arumugam Standing Counsel

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

Alleging that the respondents are shifting TASMAC Shop No.3341 from Survey No.301/E, Door No.4/49, Kullichettipatti Road to Survey No.396/1A1 (Patta No.2676), Door No.4/555, Pillayar Natham Village, Sirunaickkanpatti, Nilakkottai Taluk, Dindigul District, the present Public Interest Litigation has been filed for a direction to the respondents not to relocate the said shop.



2. Heard Mr.K.Guhan, learned counsel appearing for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the first respondent and Mr.H.Arumugam, learned Standing Counsel appearing for the second respondent.

3. When the matter was taken up for hearing, learned Standing Counsel appearing for the second respondent brought to the notice of this Court that, one S.Prem Kumar, had earlier filed a Public Interest Litigation for the same relief in W.P.(MD) No.1372 of 2022, in which, this Court by order, dated 27.01.2022, had directed the District Collector to consider his (Prem Kumar's) representation and pass appropriate orders. Accordingly, the District Collector considered the representation of Prem Kumar and has passed a detailed order, dated 21.03.2022, rejecting the same.

4. In such view of the matter, a second Public Interest Litigation on the same set of allegations, cannot be entertained.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

RM

To

1.The District Collector,
Dindigul District,
Dindigul.

+1 CC to M/s.K. GUHAN, Advocate (SR-26488[F] dated 17/06/2022)

+1 CC to M/s.H. ARUMUGAM, Advocate (SR-26934[F] dated 20/06/2022)

+1 CC to M/s.SPL.GP (SR-26832[F] dated 20/06/2022)

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MGJ(27.06.2022) 2P 5C