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W.P(MD).No.22542 of 202



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.22542 of 2022

and

W.M.P(MD).No.16720 of 2022

K.Nehru

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District.
- 2.The Superintendent of Police,
Sivagangai District.
- 3.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Madurai District.
- 4.The District Manager,
Tamil Nadu State Marketing Corporation Limited (TASMAC),
Sivagangai District.
- 5.The Tahsildhar,
Thiruppuvanam Taluk,
Sivagangai District.
- 6.The Inspector of Police,
Palayanoor Police Station,
Thiruppuvanam Taluk,
Sivagangai District.
- 7.The Inspector of Police,
Tamil Nadu Prohibition Enforcement Wing-PEW,
Sivagangai District.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to consider the petitioner's representation, dated 10.09.2022 within a time frame that may be stipulated by this Court and directing the Respondents to close the illegal TASMAL bar in TASMAL Shop No.7512 at Palayanoor, nearby Palayanoor Police Station, Thiruppuvanam Taluk, Sivagangai District.

For Petitioner : Mr.R.Udhayakumar
For R1 & R5 : Mr.P.Subbaraj
Special Government Pleader
For R2, R6 & R7 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R3 & R4 : Mr.H.Arumugam
Standing Counsel

ORDER

This writ petition has been filed praying for a writ of Mandamus directing the 1st Respondent to consider the Petitioner's representation, dated 10.09.2022 and directing the Respondents to close the illegal TASMAL bar in TASMAL Shop No.7512 at Palayanoor, nearby Palayanoor Police Station, Thiruppuvanam Taluk, Sivagangai District.

2. Mr.P.Subbaraj, learned Special Government Pleader takes notice for the Respondents 1 and 5, Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the Respondents 2, 6 and 7 and Mr.H.Arumugam, learned Standing Counsel takes notice for the Respondents 3 and 4.



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3. The Petitioner is a resident of Palayanoor village, which falls within the jurisdiction of the 6th Respondent Police Station.

4. It is submitted by the learned counsel for the Petitioner that the Respondents 3 and 4 have allegedly opened TASMACH Shop No.7512 at Palayanoor, nearby Palayanoor Police Station, Thiruppuvanam Taluk, Sivagangai District. It is also submitted that the said TASMACH shop is being run illegally without any licence.

5. The Petitioner had submitted his representation before the Respondents 1, 2, 4 and 5 on 10.09.2022, the same did not evoke any response. Consequently, the Petitioner filed this writ petition for a writ of Mandamus directing the 1st Respondent to consider and pass order on the representation of the Petitioner. The learned Special Government Pleader for the 1st Respondent submitted that the representation would be considered.

6. In view of the above, it is open to the Petitioner to place all relevant materials before the 1st Respondent in support of his representation. The 1st Respondent is directed to consider the representation of the Petitioner, dated 10.09.2022 within a period of four weeks from the date of receipt of copy of



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this order after taking into account all materials that may be placed by the Petitioner and after granting a reasonable opportunity to the Petitioner and all interested parties.

7. The writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

26.09.2022

Index : Yes / No

Internet : Yes/ No

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To

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Palayanoor Police Station,
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7.The Inspector of Police,
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MOHAMMED SHAFFIQ, J.

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