



W.P.(MD) No.11225 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.11225 of 2023
and
W.M.P.(MD) No.9802 of 2023**

Help Foundation
Office at:- Attor
Veyanoor Post
Kanyakumari District
PIN-629 177
represented through
Johncilin Saviour Raj (M/46/2023)
S/o.Paulraj
Pandaravillai Veedu
Attor, Veyanoor Post
Kanyakumari District

... Petitioner

-VS-

1.The Senior Divisional Manager
TASMAC
Plot No.100
Annanagar
Madurai-265 020



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- 2.The District Collector
Nagercoil
Kanyakumari District
- 3.The District Manager
TASMAC
Senbagaramanputhur
Nagercoil
Kanyakumari District
- 4.The Joint Commissioner of
Prohibition and Excise
Kanyakumari District
Nagercoil
- 5.The Tahsildar
(Prohibition and Excise)
Thuckalay
Kanyakumari District
- 6.The Tahsildar
Taluk Office
Tiruvattar
Kanyakumari District
- 7.The Inspector of Police
Kulasekaram Police Station
Kulasekaram
Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent to consider the petitioner's representation dated 23.03.2023 and further direct the respondents to not open TASMAC wine shop in the proposed place at by the



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Thiruvattar-Petchiparai Highways (near Kulasekaram Market junction),
Kulasekaram, Kanyakumari District, as which is against the rules and which
is against the interest of students.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.H.Arumugam
Standing Counsel for R1
Mr.P.Thilakkumar
Government Pleader for R2 to R7

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

On 25.10.2019, the following order was passed in W.P.(MD) No.
22759 of 2019:

“2. The learned Standing Counsel appearing for the respondent - TASMAC, on instructions from the District Manager, TASMAC, Kanyakumari District / third respondent submitted that there is no proposal to locate any TASMAC Wine Shop in the proposed place at Thiruvattar-Petchiparai Highways (near Kulasekaram Market Junction), Kulasekaram, Kanyakumari District. The above submission made vide communication dated 25.10.2019 is placed on record. The respondents are permanently injuncted from locating any TASMAC retail vending shop in the said locality.”



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2. In view of the same, the apprehension of the petitioner does not appear to be justified. If the respondents open a TASMACH shop as against the spirit of the order dated 25.10.2019, it will be open to the petitioner to move this Court complaining disobedience of the above order.

3. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

01.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The District Manager,
TASMACH,
Senbagaramanputhur,
Nagercoil,
Kanyakumari District.



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- 3.The Joint Commissioner of
Prohibition and Excise,
Kanyakumari District,
Nagercoil.
- 4.The Tahsildar,
(Prohibition and Excise),
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- 5.The Tahsildar,
Taluk Office,
Tiruvattar,
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- 6.The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram,
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