



W.P(MD)No.12172 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.05.2023

WEB COPY

CORAM:

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.12172 of 2023

and

W.M.P(MD)No.10411 of 2023

Raja

... Petitioner

Vs

- 1.The Commissioner,
Prohibition and Excise Department,
Commissioner of Prohibition and Excise Department,
Chennai.
- 2.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
Chennai.
- 4.The Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Madurai.
- 5.The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to remove the TASMACH shop along with bar situated in Survey No.219/2,



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R.S.Managalam Junction, R.S.Mangalam Taluk, Ramanathapuram District
by considering the petitioner's representation dated 11.04.2023.

For Petitioner	:Mr.T.Veerakumar
For R-1 & R-2	:Mr.S.P.Maharajan, Special Government Pleader
For R-3 to R-5	:Mr.S.Sivanesan, Standing Counsel

ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

Mr.Raja, S/o.Subramanian, a resident of Keelakottai East, R.S.Mangalam junction, R.S.Mangalam Taluk, Ramanathapuram District, has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents herein to remove the TASMAL shop along with bar situated in Survey No.219/2, R.S.Managalam Junction, R.S.Mangalam Taluk, Ramanathapuram District, by considering his representation dated 11.04.2023.

2. The learned counsel appearing for the petitioner submitted that Rule 8 of the Tamil Nadu Liquor Retail Vending(In Shops and Bars) Rules, 2003, prohibits establishing of liquor shop and bar within 100 meters from any place of worship or educational institutions. Therefore, the present establishment of TASMAL shop along with bar is in violation of Rule 8 of the said Rules.



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3. Mr.S.Sivanesan, learned standing counsel appearing for the respondents 3 to 5, placed before us the written instruction issued to him by the District Manager, TASMAL, Ramanathapuram, dated 17.05.2023 and submitted that there is no proposal to open a TASMAL shop along with bar in Survey No.219/2, R.S.Managalam Junction, R.S.Mangalam Taluk, Ramanathapuram District.

4. Since the prayer in the writ petition has become infructuous, recording the submission made by the learned standing counsel and placing on record the written instructions submitted before us, this writ petition stands closed. No Costs. Consequently, connected miscellaneous petition is closed.

(T.R., ACJ.)

(L.V.G., J.)

17.05.2023

Index :Yes/No
NCC :Yes/No

To

1.The Commissioner,
Prohibition and Excise Department,
Commissioner of Prohibition and Excise Department,
Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.



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T.RAJA, ACJ.
and
L.VICTORIA GOWRI, J.

PM

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