



W.P.(MD) No.13809 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM:

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

W.P.(MD) No.13809 of 2023

Sakratees

... Petitioner

-VS-

1. The District Collector,
Thanjavur District, Thanjavur.
2. The District TASMAL Manager,
TASMAL Limited, Thanjavur District,
Thanjavur.
3. The Zonal Excise Officer,
TASMAL Limited,
District Collector Office,
Thanjavur District.
4. The Special Tahsildar,
Excise Department, TASMAL Limited,
Kumbakonam, Thanjavur District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents No.1 and 2 to relocate the TASMAL Shop No.7946 situated nearby Asur National Highways Road, based on the representation of the petitioner dated 24.03.2023.

For Petitioner : Mr.C.Sasikumar

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R1, R3 and R4
Mr.H.Arumugam for R2

ORDER

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

Mr.P.Thilak Kumar, learned Government Pleader, takes notice for the respondents 1, 3 and 4 and Mr.H.Arumugam, learned counsel takes notice for the second respondent.

2. With the consent of both sides, the writ petition is taken up for final hearing at the admission stage itself.



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3. The petitioner seeks a mandamus for shifting of the TASMAC shop situate at Asur National Highways Road.

4. Mr.H.Arumugam, learned counsel appearing for the second respondent would submit that the present location has been cleared by the District Collector in the year 2022 and an appellate remedy is available to the petitioner if he is aggrieved by the location of the shop under the Tamil Nadu Liquor Retail Vending (In Shops and Bars) Rules, 2003. He would also add that the recent representation given by the petitioner on 24.03.2023 has also been rejected by the District Manager and the petitioner can move the District Collector.

5. In view of the above position of law, we do not see any reason to entertain this writ petition. The writ petition stands dismissed. No costs.

[R.S.M., J.]

[L.V.G., J.]

13.06.2023

NCC : No
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