



W.P(MD)No.21493 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.21493 of 2022
and
WMP(MD)No.15645 of 2022

Mr.T.X.S.Kevin Arachi

... Petitioner

vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.

2. The Tamil Nadu State Marketing
Corporation Limited (TASMAC),
Rep. by its Managing Director,
Thalamuthu Natarajan Maaligai,
Gandhi Irwin Road,
Egmore, Chennai-08.

3. The District Manager,
The Tamil Nadu State Marketing
Corporation Limited (TASMAC),
IMFS Depot,
Door No. 25/1-No.837 and 25/2-838,
Konam, Indl Estate, Nagercoil 629 004,
Kanyakumari District.

1/6



W.P(MD)No.21493 of 2022

WEB COPY

4. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

5. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, direct the respondents to permanently Close or Remove the TASMAL Liquor Shop No.4803 and bar attached with liquor shop situated at Kanyakumari-Trivandrum State Highway, Kovalam Road, Siluvai Nagar forthwith by considering petitioner's representation dated 23.02.2022.

For Petitioner : Mr.G.Anto Prince
For R3 : Mr.H.Arumugam, Standing Counsel
For R4 & R5 : Mr.S.Manikandan
Government Advocate (Crl.Side)

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the respondents to permanently close or remove



W.P(MD)No.21493 of 2022

WEB COPY

the TASMAL Liquor Shop No.4803 and bar attached with liquor shop situated at Kanyakumari-Trivandurm State Highway, Kovalam Road, Siluvai Nagar forthwith by considering petitioner's representation dated 23.02.2022.

2. Today, when the writ petition was taken up for hearing, learned standing counsel appearing for the 3rd respondent produced the proceedings of the District Collector, Kanyakumari District, in Roc.R5/18636/2021 dated 22.10.2021, whereby, the District Collector has granted permission to open the TASMAL Shop No.4803 to run at Building No.6/272-9 at Kovalam Village, Vivekananda Siluvai Nagar, Kannyakumari, Agastheeswaram Taluk and therefore, the prayer in this writ petition has become infructuous.

3. Recording the above submission, the Writ Petition is dismissed as infructuous. No costs. If the petitioner is aggrieved by the proceedings of the District Collector, Kanyakumari District, in Roc.R5/18636/2021 dated 22.10.2021, he is at liberty to file appeal



W.P(MD)No.21493 of 2022

WEB COPY

under Rule 9-A of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003. Consequently, connected miscellaneous petition is closed.

[D.K.K.,J.] & [R.V.,J.]
20.01.2023

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

To

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4/6



W.P(MD)No.21493 of 2022

WEB COPY

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WEB COPY



W.P(MD)No.21493 of 2022

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
W.P(MD)No.21493 of 2022
DATED : 20.01.2023