



WEB COPY



W.P.No.2290 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.2290 of 2020

Murali

.. Petitioner

VS

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The District Manager,
Tasmac Limited,
No.14-18, Sipcot Industrial Estate,
Kancheepuram-631 502,
Kancheepuram District.

3.The Inspector of Police,
Maraimalai Nagar Police Station,
Kancheepuram District.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st and 2nd respondents to close down the TASMAL retail shop situated at



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Sreevarinagar entrance, Adyar Ananthabhavan Back side, Singaperumal Kovil, Kancheepuram District by considering the representation of the petitioner dated 9.8.2018.

For the Petitioner : Mr.M.R.Elavarasan

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for respondents 1 and 3

: Mr.K.Balakrishnan
for respondent No.2

ORDER

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

Heard Mr.M.R.Elavarasan, learned counsel for the petitioner; Mr.T.K.Saravanan, learned Government Advocate for respondents 1 and 3; and, Mr.K.Balakrishnan, learned counsel for the second respondent.

2. Learned counsel for the petitioner submits that the TASMAL shop run at Sreevarinagar Entrance, Adyar Ananthabhavan Back Side, Singaperumal Kovil is illegal. The



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same is run in a temporary structure and on an agricultural land.

3. An affidavit is filed by the second respondent. It is submitted in the affidavit that the building stability certificate has been obtained and the said premises is well maintained in good hygienic condition. It is further stated that all aspects have been considered and no violation is found.

4. Paragraph 6 of the said affidavit reads thus:

"6. I humbly submit that as stated in para-9 of the affidavit, the petitioner's representation contained the allegations are are carefully inspected and satisfied and no violation found as per to the view of the Hon'ble Supreme Court directions dated 15.12.2016 and 31.3.2017 in Civil Appeal Nos.1214-12166 of 2017, and the TASMAC R.V. (shops and bars) rules 2003.

1) So far as there is no law and order problem.



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2) *There is no any case of nuisance or disturbance to the public.*

3) *Legal licensed bar is running with FSSAI certificate application also submitted before the concerned authority.*

4) *Bar premises in good 'Hygienic Condition' is maintained with adequate facilities.*

5) *There is no abducting of the public to the common road.*

6) *From 06.08.2018 onwards the shop is running to till date without any public objections."*

5. In the light of the above, we are not inclined to pass any orders in the present writ petition. The writ petition, as such, is disposed of. There shall be no order as to costs.

(S.V.G., C.J.)

(D.B.C., J.)

02.01.2024

Index : Yes/No
Neutral Citation : Yes/No
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