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W.P.(MD) No.3317 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2024

CORAM:

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

**W.P.(MD) No.3317 of 2024
and
W.M.P.(MD) No.3293 of 2024**

A.Justin Selvin George

... Petitioner

-VS-

- 1.The District Collector
Nagercoil
Kanyakumari District
- 2.The Commissioner of Prohibition & Excise
Chepauk
Chennai-600 005
- 3.The Managing Director
TASMAC Limited
Thalamuthu Natarajan Building
4th Floor, CMDA Tower-II
Egmore
Chennai-600 008



W.P.(MD) No.3317 of 2024

WEB COPY

4.The District Manager
(TASMAC), IMFS Depot
Door No.25/1-No.837 and 25/2-838
Konam, Indl Estate
Nagercoil 629 004
Kanyakumari District

5.The Executive Officer
Thingal Nagar Selection Grade
Town Panchayat
Kalkulam Taluk
Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents from opening / shifting the TASMAC Shop No.4880 in S.No.33/7A in Thingal Nagar Village, Kalkulam Taluk, Kanyakumari District, by considering the petitioner's representation dated 17.01.2024 and 31.01.2024, within the time stipulated by this Court.

For Petitioner : Mr.E.Mareeskumar

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2
Mr.S.Sivanesan for R3 & R4



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W.P.(MD) No.3317 of 2024

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents 1 & 2 and Mr.S.Sivanesan, learned Standing Counsel, takes notice for the respondents 3 & 4.

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

3. Prayer in this writ petition is to forbear the respondents from opening / shifting TASMAL Shop No.4880 in S.No.33/7A of Thingal Nagar Village, Kalkulam Taluk, Kanyakumari District, by considering the petitioner's representations dated 17.01.2024 and 31.01.2024, within the time stipulated by this Court.

4. Today, when the matter was taken up for hearing, learned Standing Counsel appearing for the respondents 3 and 4, on instructions, submitted that as on date, no such proposal is pending for opening or shifting



W.P.(MD) No.3317 of 2024

WEB COPY

a TASMAL shop in the subject place and only on the apprehension, the petitioner has filed this writ petition.

5. Recording the above submission of the learned Standing Counsel, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

14.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Commissioner of Prohibition & Excise,
Chepauk, Chennai-600 005.



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W.P.(MD) No.3317 of 2024

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