



W.P.(MD)No.3990 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.3990 of 2024
and
W.M.P.(MD)No.3875 of 2024

S.Murugannatham

... Petitioner

versus

1. The District Collector,
Collectorate,
Korampallam,
Thoothukudi District.
2. The District Revenue Officer,
Tiruchendur,
Thoothukudi District.
3. The Tahsildar,
Eral Taluk,
Thoothukudi District.
4. The Deputy Superintendent of Police,
Thiruchendur,
Thoothukudi District.



W.P.(MD)No.3990 of 2024

5. District Manager (TASMAC)
C-104, SIPCOT Campus,
Madathur, Thoothukudi District.

6. Kumaresan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to forbear the 2nd and 5th respondent from closing down the TASMAC shop in Shop No.10162, situated in Door No.34, Mavadipannal, Thenthiruperal, Eral Taluk and Thoothukudi District, namely, the leasehold premises belong to the petitioner, till the expiry of the lease between the petitioner and the fifth respondent, without insisting the resolution made in the Peace Committee Meeting vide Ref.No. 3/25/2024 dated 14.02.2024 passed by the District Revenue Officer, the second respondent herein, by allowing the above writ petition.

For Petitioner	: Mr.G.Aravinthan
For R1 to R4	: Mr.A.Baskaran, Additional Government Pleader
For R5	: Mr.S.Sivanesan, Standing Counsel

ORDER

The petitioner is the owner of the building situated in Door No. 34, Mavadipannal, Thenthiruperal, Eral Taluk, Thoothukudi District,



W.P.(MD)No.3990 of 2024

where, a TASMAC shop is functioning. As there were public agitations on 14.02.2024, the District Revenue Officer has conducted a Peace Committee Meeting, where, a decision was taken to shift the TASMAC shop functioning in the petitioner's premises to some other place, in order to avoid law and order problems. The Manager of TASMAC has also signed in the resolution.

2. The petitioner, in order to maintain the TASMAC shop in his premises, has filed this writ petition that at the instance of the 6th respondent, a politician, this decision has been taken to shift the TASMAC shop to some other place and therefore, he requested to issue a Mandamus restraining the respondents 2 and 5 from shifting the shop from his premises.

3. TAMSAC is a Corporation which is establishing their outlets in accordance with the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules 2003. Certain places are prohibited from establishing



W.P.(MD)No.3990 of 2024

TASMAC shops. In this case, there were public agitations on 14.02.2024 and therefore, a decision has been taken to shift the shop from the petitioner's premises to some other place, in order to avoid law and order problem. Hence, this Court is not inclined to issue any direction to maintain the TASMAC shop in the petitioner's premises.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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2. The District Revenue Officer,
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W.P.(MD)No.3990 of 2024

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3. The Tahsildar,
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4. The Deputy Superintendent of Police,
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5. District Manager (TASMAC)
C-104, SIPCOT Campus,
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W.P.(MD)No.3990 of 2024

B.PUGALENDHI, J.

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W.P.(MD)No.3990 of 2024

21.02.2024