



W.P.(MD)No.5731 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.5731 of 2024

M.Sugumaran

... Petitioner

versus

1. The Collector,
Sivagangai District,
Sivagangai.
2. The Deputy Collector / District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC),
Sivagangai.
3. The Superintendent of Police,
Sivagangai District,
Sivagangai.
4. The Inspector of Police,
Salaigramam Police Station,
Salaigramam,
Sivagangai District.
5. P.Ramakrishnan



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6. R.Ramachandran
(R5 and R6 are impleaded by order
dated 10.07.2024)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 3rd and 4th respondents to provide suitable police protection to implement the license given by the TASMAL to run the TASMAL liquor bar attached with TASMAL liquor shop No.7638 in shop No.435/F situated at S.No.810/5 at Salaigramam, Sivagangai District.

For Petitioner	: Mr.V.R.G.Mohan
For R1, R3 and R4	: Mr.E.Antony Sahaya Prabakar, Additional Public Prosecutor
For R2	: No appearance

ORDER

The petitioner claims that he got licence for running a Bar for the TASMAL Shop No.7638. Since the private respondents, namely, the respondents 5 and 6 are preventing the petitioner from running the bar and also threatening him, he lodged complaints before the respondent Police. Now, he has filed this writ petition for a Mandamus, directing the 3rd and 4th respondents to provide police protection.



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WEB COPY 2. The learned Additional Public Prosecutor submits that they have treated the petitioner's complaints as petition enquiry in CSR Nos. 108 and 113 of 2024 and closed the same on 22.02.2024.

3. The petitioner is having a valid licence to run a bar for the TASMAL Shop No.7638. If anybody is preventing him from running the bar, it is always open to him to report the same to the Manager of the TASMAL or the District Collector, Sivagangai, who is the head of the TASMAL. If anybody is threatening the petitioner, it is always open to him to lodge a criminal complaint before the respondent Police. If the police has not acted upon the same, he is also having a remedy before the concerned Superintendent of Police under Section 154(3) Cr.P.C. and before the concerned Judicial Magistrate under Section 156(3) Cr.P.C.



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4. Since the petitioner is having alternative remedy as stated above, this Court is not inclined to issue any direction by exercising the powers under Article 226 of the Constitution of India.

5. Accordingly, this writ petition is dismissed. No costs.

10.07.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Collector,
Sivagangai District,
Sivagangai.
2. The Deputy Collector / District Manager,
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(TASMAC),
Sivagangai.
3. The Superintendent of Police,
Sivagangai District,
Sivagangai.



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4. The Inspector of Police,
Salaigramam Police Station,
Salaigramam,
Sivagangai District.



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B.PUGALENDHI, J.

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