



W.P.(MD)No.23341 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.23341 of 2024

and

W.M.P.(MD)No.19760 of 2024

Ayyampatti Panchayat,
Chinnamanur Union,
Rep. by the President,
A.Dhanalakshmi,
No.87/1, East Street,
Ayyampatti,
Markeyankottai Village,
Uthamapalayam Taluk,
Theni District.

: Petitioner

Vs.

1.The Secretary to Government,
Prohibition & Excise Department,
Chennai – 9.

2.The Commissioner,
Prohibition & Excise Department,
Chennai – 9.



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3.The District Collector,
Theni District.

4.Keppuraj : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 3 to stop all further course of action of opening of TASMACH Shop and Bar at Iyyampatti Village, Uthamapalayam Taluk, Theni District vide the petitioner's representation dated 03.06.2024.

For Petitioner : Mr.D.Saravanan
For Respondents 1 to 3 : Mr.P.Thilak Kumar
Government Pleader
For Respondent No.4 : Mr.T.Aswin Rajasimman

ORDER

[Order of the Court was made by **M.S.RAMESH, J.**]

The grievance of the petitioner is with regard to the opening of TASMACH Shop and Bar at Iyyampatti Village, Uthamapalayam Taluk, Theni District.



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2.On an apprehension that a TASMAC shop is going to be opened at Iyyampatti Village, the petitioner who is the President of the Village had given a representation on 03.07.2024 to the official respondents seeking for their intervention. Since the said representation was not considered within a reasonable time, the present Writ Petition has been filed.

3.The fourth respondent herein who claims that he has made an application for FL 2 license for a proposed Recreation Club submits that the apprehension of the President is incorrect, since it is only a Recreation Club that is proposed to be commenced in the Village and not a TASMAC shop.

4.We do not intend to go into this disputed fact for the simple reason that the petitioner himself has made a similar request to the official respondents seeking for their intervention and it would be appropriate if the official respondents are directed to consider the representation of the petitioner.

5.Accordingly, there shall be a direction to the second and third respondents herein to consider the representation of the



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petitioner dated 03.07.2024, on its own merits and in accordance with law and pass appropriate orders after giving due opportunity to the petitioner and the fourth respondent as well as any other persons who are interested in the subject matter, within a period of four [4] weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R.,J.] & [A.D.M.C.,J.]

04.11.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
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