



W.P.Crl(MD)No.2548 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2025

CORAM:

THE HON'BLE MRS. JUSTICE S.SRIMATHY

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K.Mariappan

...Petitioner

Vs.

1. The State of Tamil Nadu
Rep by the Superintendent of Police,
Tenkasi,
Tenkasi District – 627 811.
2. The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi,
Tenkasi District – 627 811.
3. The Inspector of Police,
Karivalamvandanallur Police Station,
Tenkasi District.
4. Palanivelrajan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to prohibit the 4th respondent's operation of the tea shop namely Murugan tea stall during late night hours which is situated in Survey Number 1440/1 Karivalamvandanallur Panchayat, Rajapalayam, SankaranKovil State High Ways (SH 41) Tenkasi District by considering



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the representation of the petitioner dated 24.11.2025 within a time stipulated by this Court.

For Petitioner : Mr.K.P.Sankarakumarakurubaran

For Respondents : Mr.A.S.Abul Kalaam Azad for R1 to R3
Government Advocate (Crl.side)

ORDER

This writ petition is filed seeking a Writ of Mandamus directing respondents 1 to 3 to remove the tea shop being run by the 4th respondent.

2. The learned counsel for the petitioner submitted that the 4th respondent was running a tea shop, due to which certain problems were alleged to have arisen in the village. Hence, he prayed for removal of the tea shop being run by the 4th respondent.

3. The learned Government Advocate (Criminal Side), appearing for respondents 1 to 3, submitted that a Government Order had already been issued permitting the 4th respondent to run the tea shop round the clock.



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4. In view of the above, this Court is of the opinion that when the petitioner himself employs ten workers, there is no justification to prevent another person, who is duly licensed, from carrying on his business. Moreover, no material has been placed before this Court to show that any problems have arisen in the village due to the tea shop, and the 4th respondent has been running the tea shop during night hours in the surrounding area without any disturbance.

5. In the result, this Writ Petition (Criminal) is dismissed.

15.12.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
msrm

To

1. The Superintendent of Police,
Tenkasi,
Tenkasi District – 627 811.
2. The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi,
Tenkasi District – 627 811.



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3. The Inspector of Police,
Karivalamvandanallur Police Station,
Tenkasi District.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

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