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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 25.02.2021**

**CORAM:**

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE**  
**and**  
**THE HON'BLE MRS.JUSTICE R.HEMALATHA**

**W.P.(MD) No.2247 of 2020**

**and**

**W.M.P(MD)No.1898 of 2020**

V.Kaliyamoorthy

... Petitioner

-VS-

1.The District Collector,  
Thanjavur District,  
Thanjavur.

2.The Tahsildar,  
Pabanasam,  
Thanjavur District.

3.The Manager,  
TASMAC,  
Thanjavur.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to close and shift the TASMAC Shop No.8050 and the bar attached therein, functioning at Pasupathi Kovil Village, Thiruvaiyaru Road, Pabanasam Taluk, Thanjavur District.

For Petitioner : Mr.M.P.Senthil  
For Respondent : Mr.K.P.Krishnadoss  
Nos.1 & 2 Special Government Pleader  
For Respondent : Mr.H.Arumugam,  
No.3 Standing Counsel

**ORDER**

**[Order of the Court was made by The Hon'ble CHIEF JUSTICE]**

This is a matter where a citizen wears his self-righteousness on his sleeve and seeks the removal of a liquor store on some archaic sense of puritanism.

2. A counter-affidavit has been filed by the third respondent. There are rules in place as to where liquor stores may be situated, the distance that ought to be maintained from any educational or religious institution and highways and the like. If, upon meeting all parameters, a liquor store is set up, complaints pertaining thereto cannot be entertained on the ground that consuming alcohol may be unethical or undesirable. It is for the policy-makers in the legislature to consider whether the State should turn dry. It is equally for the executive to set down the guidelines for the locations for liquor off-shops. Unless such guidelines are found to be completely unreasonable or irrational or opposed to public policy, Courts cannot barge in

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and interfere on the personal predilection of any individual that every form of drinking may be evil.

**3.** A degree of restraint has to be exercised, particularly in high offices so that personal perceptions and beliefs do not blur the objective process of adjudication and the principle duty that is to be discharged at such level.

**4.** Since there is no assertion of any deviation by the relevant TASMAC shop in this case from the guidelines and rules in place for setting up liquor outlets, W.P.(MD) No.2247 of 2020 is dismissed. There will be no order as to costs. W.M.P(MD)No.1898 of 2020 is closed.

**[S.B., C.J.]**

**[R.H.,J.]**

**25.02.2021**

Index : Yes / No

Internet : Yes / No

**Note :**

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

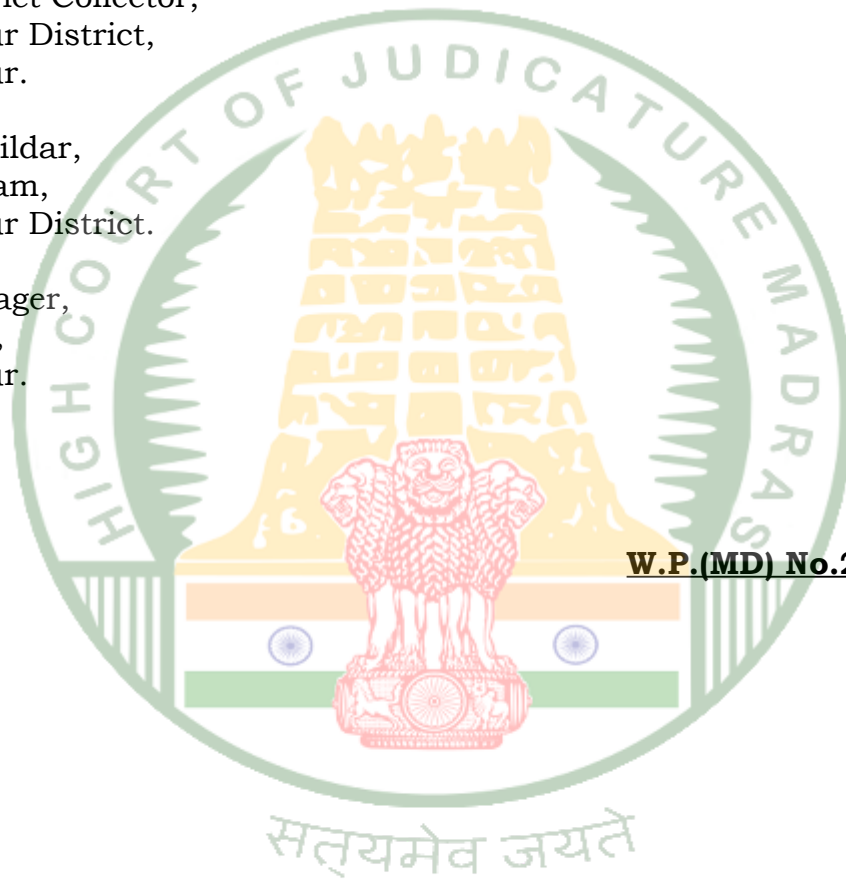
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**THE HON'BLE THE CHIEF JUSTICE**  
**and**  
**R.HEMALATHA, J.**

krk / dsk

To:

- 1.The District Collector,  
Thanjavur District,  
Thanjavur.
- 2.The Tahsildar,  
Pabanasam,  
Thanjavur District.
- 3.The Manager,  
TASMAC,  
Thanjavur.



**W.P.(MD) No.2247 of 2020**

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