

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2015

CORAM

THE HON'BLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.21322 of 2014

and

M.P.No.1 of 2014

B.Durai

.. Petitioner

vs

1. Tamil Nadu State Marketing Corporation
Ltd., (TASMAC)
rep.by its Managing Director
Thalamuthu Natarajan Building
Gandhi Irwin Road
Egmore, Chennai 600 008.
2. The Senior Regional Manager
Tamil Nadu State Marketing Corporation
Ltd., (TASMAC) No.735
LLA Building, IV Floor
Anna Salai, Chennai 600 002.
3. The District Manager (TASMAC)
Thiruvallur Taluk
Thiruvallur.
4. The District Collector
Thiruvallur District
Thiruvallur.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying this Court for the issuance of a Writ of mandamus forbearing the respondents, their men, people, agents, subordinates or any other peoples or officials claiming from them, in any manner granting license to install TASMAC Wine shop in S.No.199/1 at Kattupakkam Village, Poonamallee to Porur Main Road violating the Rules contemplated under Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

For Petitioner ... Mr.S.Balasubramanian

For Respondent ... Mr.S.Muthuraj for
RR1 to 3
Mr.M.Dig Vijaya Pandian
Additional Government Pleader
for R4

ORDER

The petitioner has come forward with this writ petition praying for a direction forbearing the respondents from granting license to install TASMAC Wine shop in S.No.199/1 at Kattupakkam Village, Poonamallee to Porur Main Road violating the Rules contemplated under Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003.

2. The grievance of the petitioner is that the proposed TASMAC shop is to be started in the middle of the busy area, where, schools, temples and churches are located and children, devotees and old age people use the area frequently to reach their destinations. Hence, he has made a representation dated 04.07.2014 to the respondents not to grant licence to start the shop in the aforesaid place. Since the same is pending without any orders being passed, the petitioner is before this Court.

3. Learned counsel appearing for the petitioner also brought to the attention of this Court, the paper publication effected regarding opening of the TASMAC in the area. However, this Court is not inclined to go into the paper report at this stage.

4. Considering the facts and circumstances of the case, without going into the merits of the matter and taking note of the fact that the representation dated 04.07.2014 submitted by the petitioner is pending, the third respondent is directed to consider and dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Managing Director
Tamil Nadu State Marketing Corporation
Ltd., (TASMAC)
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Thiruvallur Taluk
Thiruvallur.
4. The District Collector
Thiruvallur District
Thiruvallur.

1 cc to Government Pleader, Sr.No.11857
1 cc to Mr.S.Muthuraj ,Advocate, SR.No.11733
1 cc to Mr.S.Balasubramanian ,Advocate, SR.No.11715

W.P.No.21322 of 2014

KJI (CO)
PMK.24.3.2015

सत्यमेव जयते

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