

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.20166 of 2015

G.Devarajan

.. Petitioner

-vs-

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.
 - 2.Minister for Co-operation, Food and
Consumer Protection Dept., Govt.
Of Tamil Nadu, Fort. St. George, Chennai.
 - 3.The Managing Director,
Tamilnadu Co-operative Marketing Federation,
91, St. Mary's Road, Chennai.
 - 4.The Commissioner,
Commissioner of Civil Supplies and Consumer
Protection Dept., 'Ezhilagam', IV Floor,
Chepauk, Chennai.
 - 5.The General Manager (Tamil Nadu Region)
Food Corporation of India, No.8, Regional
Office, Sathiya Murthy Road, Chetpet,
Chennai.
 - 6.The Director,
Forensic Sciences Dept.,
30A, Kamarajar Salai, Mylapore, Chennai.
 - 7.The Director NTH (SR)
Scientist SD (Chemical)
National Test House (SR)
Tharamani, Chennai.
 - 8.The Chairman and Managing Director,
Tasmac, Gandhi Irwin Bridge Road,
Egmore, Chennai.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to test all varieties of liquor samples been sold and to make a thorough study with regard to which liquor has the highest toxic chemical prevalence against the recommended quantity, the variety of toxic substances prevalence and the details of action against the sub standard quality supplied to TASMAC and submit a report and if necessary initiating legal action against the concerned liquor manufacturers and ban the liquor sales through TASMAC (8th respondent).

For Petitioner : Mr.G.Devarajan
Party-in-person

For Respondents : Mr.S.T.S.Moorthy
Govt. Pleader, assisted by
Mr.V.Shanmugha Sunder, G.A.
For RR 1, 6 and 7
: Mr.L.P.Shanmughasundaram
Spl.G.P. For RR 2 to 4
: Mr.S.Muthuraj for R-8

* * * * *
O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner, through this Public Interest Litigation, seeks to raise the issue of the alleged toxic substances contained in liquor sold by the TASMAC. It is his case that he sought information about the checks carried out by the TASMAC in this behalf. He also sought information under the Right to Information Act. However, all this happened in 2010. After that, there have been long periods of silence except on a yearly representation in the years 2012, 2013 and 2015.

2.We are, thus, of the view that the petitioner has not made any endeavour to check out the current position before coming to Court. Not only that, the last representation sent by RPAD is dated 24.06.2015. Thus, nearly about ten days or so after the representation would have been received, the petitioner seeks to move the Court. This representation appears to be just a formality to create the jurisdiction. Even the last representation is very general in character.

3.We are, thus, not inclined to entertain the Public Interest Litigation. However, the eighth respondent may inform the petitioner of the quality checks, which are carried out by the TASMAC in respect of liquors sold through its shops. This exercise be undertaken within one month of receipt of a copy of this order.

4.Writ Petition is dismissed with the aforesaid observation. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1.The Chief Secretary,
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- 8.The Chairman and Managing Director,
Tasmac, Gandhi Irwin Bridge Road,
Egmore, Chennai.

+1 cc to Government Pleader, Sr.34387, 34396

+1 cc to M/s.g.Devarajan, Advocate, Sr.34398

+1 cc to M/s.S.Muthuraj, Advocate, Sr.34281.

Ppa (co)
krd 16/7

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