

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.7506 of 2013

A.Narayanan

.. Petitioner

-vs-

1. The Chief Secretary,  
Government of Tamilnadu,  
Secretariat,  
Chennai-600 009.
2. The Secretary to Government,  
Home Department,  
Secretariat,  
Chennai-600 009.
3. The Managing Director,  
TASMAC Limited, 4<sup>th</sup> Floor,  
CMDA TOWER-II, Egmore,  
Chennai-08.
4. The Director General of Police,  
Dr.Radhakrishnan Salai,  
Mylapore,  
Chennai-600 004.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to (a)Take specific steps to ensure the effective, visible implementation of Rule 11-A of the Tamil Nadu Liquor Retail Vending (in shops and bars) Rules, 2003; (b)Evolve a effective mechanism to monitor the purchase of alcohol from TASMAC outlets and bars run by hotels and other establishments permitted to serve alcohol; (c)Implement a system to issue liquor permits to individuals above the legal age of 21 years upon proper verification and permit the sale of liquor or alcohol only against such permits issued by the State to persons who hold registered permits and to evolve rules to govern such permits; (d)Compulsorily place all TASMAC outlets and other establishments permitted to serve alcohol under video surveillance so that the purchase and sale of alcohol/liquor can be documented and monitored; (e)Sensitize employees of TASMAC outlets and other establishments such as bars, pubs and

hotels, about the harm caused by alcohol consumption to persons under the legal age; (f) Promote awareness among school children and the public about the harmful effect of consuming alcohol by persons under the legal age.

For Petitioner : Mr.T.Mohan  
for  
M/s.A.Yogeshwaran

For Respondent : Mr.STS.Moorthy  
Government Pleader for R1, R2 & R4

Mr.P.H.Arvinth Pandian  
Additional Advocate General  
assisted by  
Mr.S.Muthuraj for R3

#### ORDER

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

The petitioner seeks directions for effective implementation of the age requirement provided as 21 years, below which neither the liquor is to be sold nor permitted to be drunk. The prayers made are as under:-

"(a) Take specific steps to ensure the effective, visible implementation of Rule 11-A of the Tamil Nadu Liquor Retail Vending (in Shops and Bars) Rules, 2003;

(b) Evolve a effective mechanism to monitor the purchase of alcohol from TASMAL outlets and bars run by hotels and other establishments permitted to serve alcohol;

(c) Implement a system to issue liquor permits to individuals above the legal age of 21 years upon proper verification and permit the sale of liquor or alcohol only against such permits issued by the State to persons who hold registered permits and to evolve rules to govern such permits;

(d) Compulsorily place all TASMAL outlets and other establishments permitted to serve alcohol under video surveillance so that the purchase and sale of alcohol/liquor can be documented and monitored;

(e) Sensitize employees of TASMAL outlets and other establishments such as bars, pubs and hotels, about the harm caused by alcohol consumption to persons under the legal age;

(f) Promote awareness among school children and the public about the harmful effect of consuming alcohol by persons under the legal age."

2. The aforesaid prayers show that they are mere general in character requiring better enforcement. It is trite to say that there is increase in drinking habits and thus, it is necessary to ensure that the age bar rule is enforced effectively by increasing awareness, display of boards, sensitization of all stakeholders wherever liquor is sold or served to verify the age when in doubt.

3. The learned Additional Advocate General assures that necessary steps will be taken and due publicity given.

4. The writ petition, thus, stands disposed of in terms aforesaid. No costs.

Bbr

Sd/-  
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

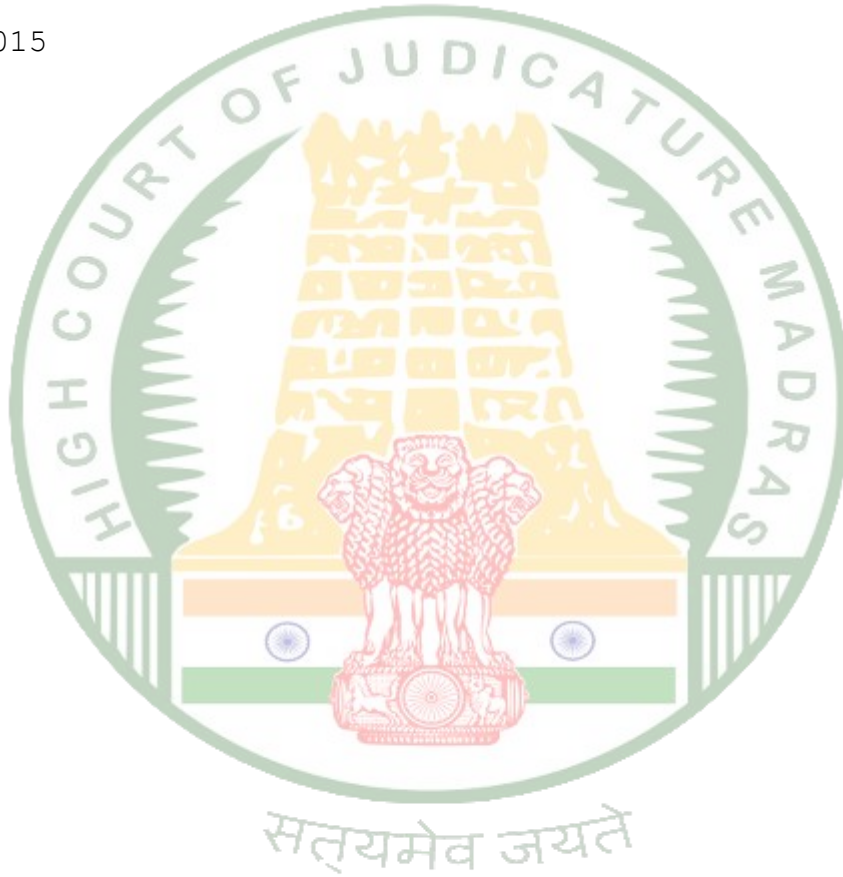
1. The Chief Secretary,  
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4. The Director General of Police,  
Dr.Radhakrishnan Salai,  
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+1 C.C. To Government Pleader in SR.NO.53870  
+1 cc to Mr.S.Muthuraj,Advocate(sr.53872)29/10/2015

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KSJ(CO)  
sd : 14/10/2015



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