

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.06.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.11422 of 2016 and

W.M.P.No.9867 of 2016

M.Vairasamy Nadar ...Petitioner

Vs.

1. The District Manager,
Tamil Nadu State Marketing,
Corporation Ltd. (TASMAC)
Central Division, Ambattur Godown,
Near Vavin, Ambattur Estate,
Ambattur, Chennai - 600 058.

2. Tr.N.Anbarasan ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 03.03.2016, and to direct the first respondent to cancel the TASMAC Bar License, which stands in the name of the second respondent, in respect of the TASMAC Shop attached Bar in Shop No.417, situate at Nos.20 and 21 M.G.R. Street, Bharathi Nagar, Koyambedu, Chennai - 600 107, and without no objection letter, obtaining from the petitioner.

For Petitioner	:	Mr.B.Sundara Pandiyan
For Respondent-1	:	Mr.B.Nedunchezhiyan
For Respondent-2	:	Mr.S.Balasubramanian

O R D E R

The petitioner has filed this Writ Petition, praying for issuance of a Writ of Mandamus, directing the first respondent to consider his representation, dated 03.03.2016, and to direct the first respondent to cancel the TASMAC Bar License, which stands in the name of the second respondent, in respect of the TASMAC Shop attached Bar in Shop No.417, situate at Nos.20

and 21 M.G.R. Street, Bharathi Nagar, Koyambedu, Chennai - 600 107.

2. Heard the learned counsel appearing for both the parties.

3. The petitioner is a landlord of the premises, in which, the second respondent/lessee, has been granted lincese by the TASMAL to sell eatables, snacks and collect empty bottles from the Bar attached to TASMAL Shop. Between the petitioner and the second respondent, there is a civil dispute, with regard to the premises, on the ground that the second respondent/lessee has defaulted in payment of rent. Therefore, the petitioner/landlord filed R.C.O.P. No.102 of 2016, on the file of XII Assistant Judge cum Rent Controller, Court of Small Causes, Chennai, and the same is pending.

4. In the light of the above, the relief sought for, by the petitioner in this Writ Petition, cannot be granted. However, it is stated that shop, in question, is also one of the 500 shops, which the TASMAL has decided to close. If that be the case, then, to that extent, the first respondent shall take a decision on the issue within a period of eight weeks from the date of receipt of a copy of this order, after notice to the second respondent.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The District Manager,
Tamil Nadu State Marketing,
Corporation Ltd. (TASMAL)
Central Division,
Ambattur Godown,
Near Vavin, Ambattur Estate,
Ambattur, Chennai - 600 058.

+1 cc to Mr.A.Rajesh Kanna Advocate sr.37098

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