

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

WP.No.35267of 2015

M.P.1/2015

C. Sudamani

..Petitioner

Vs

1. The District Manager,
Tasmac Ltd.,
Chennai (South) District,
Ambattur, Chennai-58.

2. The Managing Director,
TASMAC Ltd.,
CMDA Tower-II, 4th Floor,
Egmore, Chennai-8.

3. The Senior Regional Manager,
TASMAC Ltd.,
L.L.A.Building, 735, Anna Salai, Chennai-2.

4. The Prohibition Commissioner,
Chepauk, Chennai-5.

5. The District Collector,
Collectorate Office,
Singaravelan Malligai,
Rajaji Salai, Chennai-1.

.. Respondents.

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of mandamus forbearing the respondents from granting any license, permit or the like for starting "Victory Recreation Club" or any establishment like TASMAC shop, Hotel with Bar or any Recreation Club with Bar attached, for the purpose of vending or consuming Indian Made Foreign Liquor or such other items on the Lattice Bridge Road either near the premises bearing Door No.77/New 179, L.B. Road, Thiruvanniyur, Chennai-41 or in any other building, nearer to the same.

For Petitioner : Mr.T.K.S.Gandhi
For Respondents : Mr.C.Kasirajan for (R-1 to 4)
Mr.K.J.Siva Kumar for (R-5)
Government Advocate

ORDER

Heard Mr.T.K.S.Gandhi, learned counsel appearing for the petitioner, and Mr.C.Kasirajan learned counsel appearing for the respondents 1 to 4, and Mr.K.J. Sivakumar, learned Government Advocate appearing for the 5th respondent.

2. The Petitioner who is a resident of Door No.77-A/New 181, L.B.Road, Thiruvannamiyur, Chennai-41, has filed this Writ Petition for issuance of a writ of mandamus from granting any license to an organization, which calls itself as Victory Recreation Club in the premises, adjoining to his house.

3. The Learned counsel for the petitioner would state that as of now the Victory Recreation Club Board has been removed from the premises, but, the petitioner does not actually know as to whether the proposal to set up Recreation Club itself has been given up.

4. Be that as it may if any person who requires a license to vend liquor, he has to secure the same in accordance with the Rule framed under the Tamil Nadu Prohibition Act. The Rules contemplated stringent procedure to be followed.

5. Therefore the Writ Petition stands disposed of by directing the Commissioner (Prohibition) to authorise concerned officer to inspect the said premises and strictly adhere to the Rules before considering any application that may be received for a Bar license in the said premises, and it would be advisable for the Commissioner of Prohibition to authorise to local inspection, by a senior officer, as well as an enquiry in the area to ascertain as to the proposed location, as to any objections are raised etc., before processing the application.

6. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous petition closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

RPA/KP

To

1. The District Manager,
Tasmac Ltd.,
Chennai (South) District,
Ambattur, Chennai-58.

2. The Managing Director,
TASMAC Ltd.,
CMDA Tower-II, 4th Floor,
Egmore, Chennai-8.

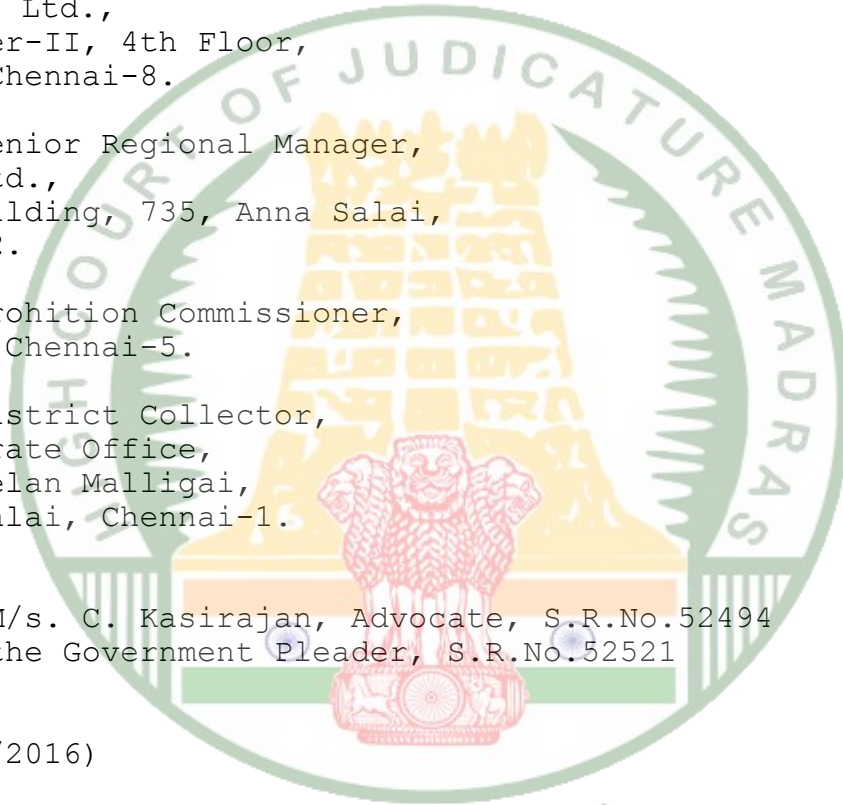
3. The Senior Regional Manager,
TASMAC Ltd.,
L.L.A.Building, 735, Anna Salai,
Chennai-2.

4. The Prohibition Commissioner,
Chepauk, Chennai-5.

5. The District Collector,
Collectorate Office,
Singaravelan Malligai,
Rajaji Salai, Chennai-1.

+1cc to M/s. C. Kasirajan, Advocate, S.R.No.52494
+1cc to the Government Pleader, S.R.No.52521

CNR (CO)
EU (21/10/2016)



सत्यमेव जयते

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