

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 10.6.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.36709 OF 2015

1 R.Anbuselvan
2 Kathiresan
3 A.K.Siva
4 Ramaiyah
5 A.R.Elumalai
6 N.Suresh
7 K.Athiyappan
8 K.Murugaraj
9 S.Rangasamy
10 S.Jagadeesan
11 P.S.K.Karunakaran
12 P.Rangasamy
13 T.Kamaraj
14 A.Nilavazhagan
15 S.Lakshmi Kumar
16 T.Subbash
17 T.Murugavel
18 P.S.K.Kanakaraj
19 A.Thirumal
20 R.Ponmari
21 Sathyamoorthy
versus

...Petitioners

1 The Managing Director
TASMAC Thalamuthu Natarajan Maaligai
Egmore Chennai-8

2 The District Manager
(North Chennai) TASMAC B-4 Ambattur
Industrial Estate Ambattur Chennai-53 ...Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to adjust the license bid advance amount for the month of October - November 2015 and consequently direct the respondents to issue tender forms to the petitioners for conducting tenders in the month of November - December 2015 for giving bar license.

For petitioners ... Mr.C.Prakasam
For respondents ... Mr.B.Nedunchezhiyan

O R D E R

The petitioners are building owners as well as bar licensees in the TASMAC shops situate in and around the Chennai city. Admittedly, the license which is the subject matter of these cases came to an end in November 2015. It appears that at the time when license was granted, the petitioners have paid two months license fees as advance fees. The petitioners now seek for adjustment of the said advance amount while they apply for fresh license for the subsequent period.

2. The learned Standing Counsel for the TASMAC submits that in the rules as well as conditions of tender, there is no provision for adjustment of advance fees. But however, if the petitioners say that they have performed their license condition properly, then, they can make an application for refund, which will be considered in accordance with law.

3. The learned counsel for the petitioners on instructions submitted that the petitioners are agreeable to adopt such a course. Therefore, the Writ Petition is disposed of directing the petitioners to make proper application to the respondents seeking for refund, which shall be considered by the second respondent in accordance with law, within a period of eight weeks from the date of receipt of such application.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, M.P.No.1/2015 is closed.

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s/d-

Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To

1 The Managing Director
TASMAC Thalamuthu Natarajan Maaligai
Egmore Chennai-8

2 The District Manager
(North Chennai) TASMAC B-4 Ambattur
Industrial Estate Ambattur Chennai-53

+ 1 cc to Mr.C.Prakasam, Advocate SR 32248

+ 1 cc to M/s.B.Nedunchezhiyan, Advocate SR 31378

ad(co)
prk23/6

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