

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.22725 of 2016

1 V.Devadoss [PETITIONER]

Vs

1 The Senior Manager
TASMAC Ltd (Tamil Nadu State Marketing
Corporation Ltd)
Chennai Division Chennai- 600 002

2 TASMAC Ltd
(Tamil Nadu State Marketing Corporation Ltd)
Industrial Estate Chennai(South) District
Rep by its District Manager
B-4 Ambattur
Chennai-600 058

3 TASMAC Ltd
(Tamil Nadu State Marketing Corporation Ltd)
Rep. by its General Manager
4th Floor CMDA Tower II
Gandhi Irwin Bridge Road
Egmore, Chennai-600 008.

4 M.Rajaprakasam

5 P.Lakshmanan

[RESPONDENTS]

Prayer in W.P.No.22795 of 2016 : The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of mandamus direct the first respondent to dispose the appeal dated 20.07.2015 filled by the petitioner against the order made in Na.Ka.No. 746/B1/2015 dated 20.06.2015 passed by the 2nd respondent in respect of Wine Shop bearing No. 512 and attached bar situated at No. 9/1(Old No.5) at 4th Avenue, Ashok Nagar, Main Road, Kodambakkam, Chennai-600 024 run by the respondents 3 to 5.

For Petitioner : Mr.G.Ethirajulu

For Respondents : Mr.B.Nedunchezhiyan -R1 to R3
Standing Counsel

O R D E R

Heard Mr.G.Ethirajulu, learned Counsel appearing for the petitioner and Mr.B.Nedunchezhiyan, learned Standing Counsel appearing on behalf of the respondents 1 to 3 and with the consent of learned counsel appearing on either side, the writ petition is taken up for final disposal.

2.The petitioner has filed this Writ Petition, praying for a direction upon the first respondent to dispose of the Appeal presented by him, as against the order passed by the second respondent, dated 20.06.2015.

3.The petitioner has filed the Appeal Petition stating that the second respondent without considering the facts and circumstances of the case, erroneously rejected the petitioner's Application for closure of the Wine Shop. Since, the Appeal Petition is pending with the first respondent, this Court is inclined to direct the first respondent to consider the Appeal Petition on merits and in accordance with law, after notice to all concerned.

4.In the light of the above, without going into the merits of the contentions raised by the petitioner in the Appeal Petition filed before the first respondent, there will be a direction to the first respondent to consider the petitioner's Appeal Petition dated 20.07.2015, issue notice to the petitioner as well as to the respondents 4 & 5 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to all parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of on the above terms. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

- 1 The Senior Manager
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+1cc to the Government Pleader, S.R.No.37449
+1cc to Mr.G.Ethirajulu, Advocate, S.R.No.22725
+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No.37556

W.P.No.22725 of 2016

nr(CO)
srg(18/07/2016)

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