

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2017

CORAM

THE HON'BLE MR. JUSTICE R.MAHADEVAN
AND
THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.P.No.13047 of 2017
and W.M.P.No.13921 of 2017

B.Neelamegan ... Petitioner

Vs.

- 1 The District Collector
Kancheepuram District.
- 2 The Managing Director,
TASMAC Limited, Thalamuthu
Natarajan Building, 4th Floor,
2nd Block, Egmore, Chennai 600 008.
- 3 The District Manager
TASMAC Limited, SIPCOT, Orikkaik,
Kancheepuram. ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Prohibition prohibiting the respondents 1 to 3 herein from running the TASMAC Shop situated at Veeranam Salai, Ilavanthangal, Thaiyur Village, Thiruporur Taluk, Kancheepuram District.

For Petitioner : Mr.A.Ramalingam

For Respondents : Mr.M.K.Subramanian
Government Pleader for R-
1
: Mr.K.Venkataramani
Addl. Advocate General
assisted by
Mr.B.Nedunchezhiyan
for Respondents 2 and 3

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ORDER

(Order of the Court was made by R.Mahadevan,J.)

The petitioner has filed this writ petition seeking issuance of a writ of Prohibition prohibiting the respondents 1 to 3 herein from running the TASMAL Shop situated at Veeranam Salai, Ilavanthangal, Thaiyur Village, Thiruporur Taluk, Kancheepuram District.

2. Objecting to the running of a TASMAL Shop in the said place, the petitioner made a representation on 08.05.2017 to the first respondent. Since the said representation was not considered, the petitioner has filed this writ petition for the relief stated supra.

3. It is the case of the petitioner that the Supreme Court has laid down guidelines for establishing or running liquor shops and, therefore, any decision taken by the respondents should be in line with the decision of the Supreme Court in Civil Appeal Nos.12614 - 12616 of 2016 (Order dated 15.12.2016, clarified by order dated 31.3.2017).

4. Heard the learned Government Pleader appearing on behalf of respondent no.1 and the learned Additional Advocate General appearing on behalf of respondents 2 and 3.

5. We direct the respondent authorities to consider the representation dated 08.05.2017 submitted by the petitioner, after granting due opportunity of hearing to the petitioner as well as any of the interested parties and pass appropriate orders in line with the decision of the Supreme Court, referred supra and also as per Rule 8 of the Tamil Nadu Liquor Retail Vending (Inshops and Bars) Rules, 2003. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. It is made clear that till the disposal of the representation of the petitioner, the TASMAL Shop shall not be opened.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.13921 of 2017 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

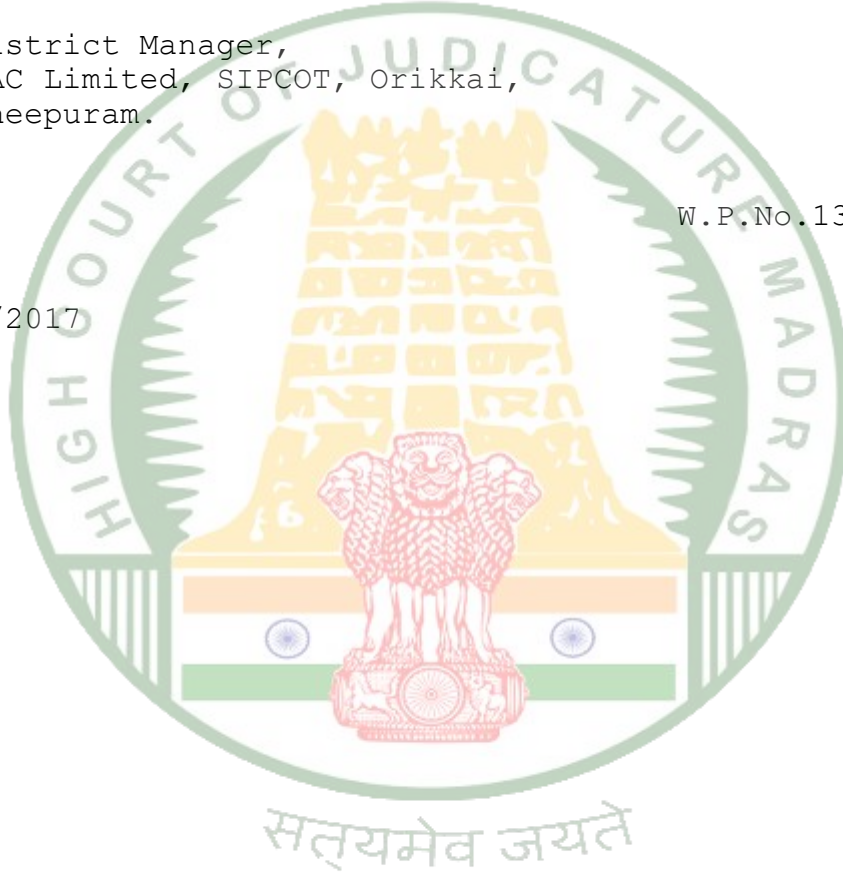
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To:

- 1 The District Collector,
Kancheepuram District.
- 2 The Managing Director,
TASMAC Limited, Thalamuthu,
Natarajan Building, 4th Floor,
2nd Block, Egmore, Chennai 600 008.
- 3 The District Manager,
TASMAC Limited, SIPCOT, Orikkai,
Kancheepuram.

W.P.No.13047 of 2017

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