

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.24706 of 2018
and
WMP No.28741 of 2018

R.Sathish Kumar

..Petitioner

Vs.

1. The District Manager
TASMAC - East
Thiruvallore District - East
Thiruvallore District
No.1, Bangalore Highway Road,
Sembarambakkam
Pin-602 103.
2. Tamil Nadu State Marketing Corp. Ltd., (TASMAC)
Rep. by its Managing Director
Thalamuthu Natarajan Building
Gandhi Irvin Road,
Egmore, Chennai-600 008.
3. The Senior Regional Manager
Tamil Nadu State Marketing Corp. Ltd., (TASMAC)
No.735, LLA Building, 4th Floor,
Anna Salai, Chennai-600 002.
4. The District Collector
Thiruvallore District
Thiruvallore.

..Respondents

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents, their men, people and agents or subordinates or any other persons claiming through them from in any manner locating or permitting any TASMAC shop at Door No.83, Plot No.2, Justice Rathnavel Pandian Road, Mogappair East, Chennai-600 107, with or without bar considering the representation dated 10.08.2018.

For Petitioner : Mr.S.Balasubramanian
For Respondent : Mr.P.Arumugarajan
standing counsel for R1 to R3
Mr.N.Inbanathan
Additional Government Pleader
for R4

O R D E R

Mr.P.Arumugarajan, learned standing counsel takes notice for the respondents 1 to 3. Mr.N.Inbanathan, learned Additional Government Pleader takes notice for the fourth respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus forbearing the respondents, from in any manner locating or permitting any TASMAL shop at Door No.83, Plot No.2, Justice Rathnavel Pandian Road, Mogappair East, Chennai-600 107.

3. Heard both sides.

4. The grievance of the petitioner is that the respondents 1 to 3 are making an attempt to locate a TASMAL liquor shop at the above said premises, when such location is not only against the public interest and also against the relevant distance rules. It is seen that the petitioner has made a representation on 10.08.2018 to all the respondents ventilating such grievance. It is stated that the said representation is not yet disposed of.

5. This Court, at this stage, is not expressing any view on the merits of the contention raised by the petitioner as against the proposed location of the said TASMAL shop at the above said site, as it is for the respondents, more particularly, the fourth respondent to consider and decide the same. Therefore, this writ petition is disposed of, only with a direction to the fourth respondent to consider the representation of the petitioner dated 10.08.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and the first respondent. Such exercise shall be done by the fourth respondent within a period of four weeks from the date of receipt of a copy of this order. Till an order is passed by the fourth respondent, the respondents 1 to 3 shall maintain status

quo as on today in respect of location of the said shop at the above said site. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

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Thiruvallore District - East
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Thiruvallore.

+1cc to Mr.S.Balasubramanian, Advocate, S.R.No.64936

+1cc to Mr.P.Arumuga Rajan, Advocate, S.R.No.64832

+1cc to the Government Pleader, S.R.No.65526

W.P.No.24706 of 2018

GSP (20/09/2018)