

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Nineteenth day of September Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE S. MANIKUMAR

AND

THE HON`BLE MR JUSTICE SUBRAMONIUM PRASAD

WP No.23719 of 2018
and WMP.No.27666 of 2018

OMALUR JEEVASAMATHI OM SRI [PETITIONER IN BOTH THE PETITIONS]
SARABANGA RISHI TRUST, REP. BY ITS FOUNDER-
PRESIDENT, O.M.RAVI RAJINI, 3, 7TH WARD,
MAKKAN STREET, OMALUR, SALEM DIST - 636 455

Vs

1 THE GOVERNMENT OF TAMIL NADU [RESPONDENTS IN BOTH THE PETITIONS]
REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT
OF HOME, PROHIBITION AND EXCISE, FORT ST.
GEORGE, CHENNAI - 600 009

2 THE MANAGING DIRECTOR,
TASMAC LTD., 4TH FLOOR, CMDA TOWER - II,
EGMORE, CHENNAI - 600 008

3 THE DISTRICT COLLECTOR,
O/O. THE COLLECTORATE,
SALEM DISTRICT - 636 001

4 THE SENIOR REGIONAL MANAGER
TASMAC LTD., 56, BRINDHAVAN ROAD, FAIRLANDS,
SALEM - 636 016

5 THE DISTRICT MANAGER
TASMAC LTD., 2/92, SANTHIYUR VILLAGE, S.
ATTAYAMPATTI POST, SALEM TALUK AND DISTRICT,
SALEM - 636 203

Writ petitions under article 226 of the Constitutions of India
praying that in these circumstances stated therein and in the
respective affidavits filed their with the High Court will pleased
to

(i) issue orders, directions or writs more particularly a writ of mandamus, forbearing the Respondents from establishing a TASMAL Shop Opposite to the Hindu temple also adjoining the Omalur Road, Salem without following Rule 8(1) of the Tamil Nadu Liquor Retail Vending (in shops and Bars) Rules, 2003 and also the guidelines framed by the Honourable Supreme Court in the State of Tamil Nadu Vs. K.Balu and another (2017) 2 SCC 281 WP No.23719 of 2018 and;

(ii) To grant an order of Ad Interim Injunction, restraining the 4th and 5th respondent his men, agents or any legal representative from establishing a TASMAL Shop Opposite to the Hindu temple also adjoining the Omalur Road, Salem without contemplating the Rule 8(1) of the Tamil Nadu Liquor Retail Vending (in shops and Bars) Rules, 2003 and also the guidelines framed by the Honourable Supreme Court in the State of Tamil Nadu Vs. K. Balu and another (2017) 2 SCC 281, (in WMP.No.27666 of 2018) pending disposal of the above writ petition No.23719 of 2018 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.M.EZHILARASI, Advocate for the petitioner and of MR.K.SATHISH KUMAR, Standing Counsel for TASMAL for respondents 2, 4 and 5 the court made the following order:-

Interim stay already granted is extended till 25.09.2018.

-sd/-
19/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

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6 MR.K.SATHISH KUMAR
STANDING COUNSEL FOR TASMAC, HIGH COURT,
MADRAS.

C.C. to M/S.M.EZHILARASI Advocate on payment of necessary charges.

Order

in
WP No.23719 of 2018
and WMP.No.27666 of 2018
Date :19/09/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (14/09/2018)
VC (24/09/2018)



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